

## Crawley Borough Council

### Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room A & B - Town Hall**, on **Monday, 11 February 2019** at **7.30 pm**

Nightline Telephone No. 07881 500 227

A handwritten signature in cursive script that reads "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

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Published 1 February 2019

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Switchboard: 01293 438000  
Main fax: 01293 511803  
Minicom: 01293 405202 DX:  
57139 Crawley 1  
[www.crawley.gov.uk](http://www.crawley.gov.uk)

Town Hall  
The Boulevard  
Crawley  
West Sussex  
RH10 1UZ

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

## Part A Business (Open to the Public)

			Pages
1.	<b>Apologies for Absence</b>		
2.	<b>Disclosures of Interest</b>  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.	<b>Lobbying Declarations</b>  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.	<b>Minutes</b>  To approve as a correct record the minutes of the Planning Committee held on 21 January 2019.		5 - 10
5.	<b>Planning Application</b> <b>CR/2018/0273/FUL - Gatwick</b> <b>Airport Station, South Terminal, Gatwick</b>  To consider report PES/290 (a) of the Head of Economy and Planning.  <b>RECOMMENDATION</b> to PERMIT	Langley Green	11 - 24
6.	<b>Planning Application</b> <b>CR/2018/0831/FUL - 22 Dene Tye, Pound Hill, Crawley</b>  To consider report PES/290 (b) of the Head of Economy and Planning.	Pound Hill South and Worth	25 - 30

			Pages
<b>RECOMMENDATION to REFUSE</b>			
7.	<b>Planning Application</b> <b>CR/2018/0834/FUL - NCP Cross</b> <b>Keys Car Park, The Broadway,</b> <b>High Street, Northgate</b>  To consider report PES/290 (c) of the Head of Economy and Planning.  <b>RECOMMENDATION to PERMIT</b>	Northgate	31 - 38
8.	<b>Planning Application</b> <b>CR/2018/0835/ADV - NCP Cross</b> <b>Keys Car Park, The Broadway,</b> <b>High Steet, Northgate</b>  To consider report PES/290 (d) of the Head of Economy and Planning.  <b>RECOMMENDATION to REFUSE</b>	Northgate	39 - 44
9.	<b>Objections to the Crawley</b> <b>Borough Council Tree</b> <b>Preservation Order 57 Ardingly</b> <b>Close, Ifield - 14/2018</b>  To consider report PES/311 of the Head of Economy and Planning.  <b>RECOMMENDATION to CONFIRM</b>	Ifield	45 - 52
10.	<b>Objections to the Crawley</b> <b>Borough Council Tree</b> <b>Preservation Order - 44 to 46,</b> <b>Green Lane, Northgate - 15/2018</b>  To consider report PES/312 of the Head of Economy and Planning.  <b>RECOMMENDATION to CONFIRM</b>	Northgate	53 - 60
11.	<b>Supplemental Agenda</b>  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 7 February 2019 at 10.00am**. Please be aware that members of the public are not to approach members of the Committee or Council officers to discuss issues associated with the respective planning applications on these visits.

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

## Crawley Borough Council

### Minutes of Planning Committee

Monday, 21 January 2019 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, S Malik, T Rana, P C Smith, M A Stone, K Sudan, J Tarrant, G Thomas and L Vitler

#### Also in Attendance:

Councillor B J Quinn

#### Officers Present:

Roger Brownings	Democratic Services Officer
Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Clem Smith	Head of Economy and Planning
Hamish Walke	Principal Planning Officer

#### Apologies for Absence:

Councillor K L Jaggard

#### 1. Disclosures of Interest

No disclosures of interests were made.

#### 2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillor Vitler had been lobbied regarding application CR/2016/0083/ARM.

Councillor Irvine had been lobbied regarding application CR/2018/0778/FUL.

#### 3. Minutes

The minutes of the meeting of the Planning Committee held on 17 December 2018 were approved as a correct record and signed by the Chair.

**4. Planning Application CR/2018/0778/FUL - 44 Jersey Road, Broadfield, Crawley**

The Committee considered report PES/289 (c) of the Head of Economy and Planning which proposed as follows:

Erection of a conservatory to the front and side of property.

Councillors A Belben, Boxall and Fiveash declared they had visited the site.

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

Councillor Quinn (Ward Councillor for Broadfield North) took this opportunity to introduce the Committee to Miss Catherine Abernethy (the Applicant). Miss Abernethy then addressed the meeting in support of the application.

The Committee then considered the application. Members acknowledged the difficulties in extending the living area of this 'back-to-back' property, but 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, the properties in the immediate vicinity and the general streetscene of Jersey Road. It was confirmed that the proposals were contrary to Policies CH2 and CH3 of the Local Plan, the guidance contained within the Urban Design SPD and the NPPF (2018).

**RESOLVED**

**Refuse**, for the reasons listed in report PES/289 (c)

**5. Planning Application CR/2018/0400/FUL - 7-15 Kelvin Lane, Northgate, Crawley**

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.

Since the publication of the agenda for this meeting, the Committee had been advised that this application had been withdrawn by the Applicant.

**6. Planning Application CR/2016/0083/ARM - Phase 2C, Forge Wood (North East Sector), Crawley**

The Committee considered report PES/289 (a) of the Head of Economy and Planning which proposed as follows:

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).

Councillors Stone and Sudan declared they had visited the site.

# Agenda Item 4

Planning Committee (47)

21 January 2019

The Principal Planning Officer (VC) provided a verbal summation of the application. The Officer advised that the application had been the subject of a number of substantial revisions since its initial submission, and relevant re-consultation had taken place. Although the report reflected comments received from a good number of consultees, it had not been possible to conclude this process prior to the report's publication. With this in mind, and with some rewording or additional Conditions involved, the Committee received updates as follows:-

- Updated amended plans / drawings for soft landscaping now reflected the comments of GAL Aerodrome Safeguarding in seeking to mitigate bird hazard and avoid endangering the safe movements off aircraft and the operation of Gatwick Airport through the attraction of birds. A condition was recommended to cover this aspect.
- WSCC have commented that the principle of the proposed layout for carriageways and footways was acceptable. In relation to surfacing materials and detailing, WSCC have further commented that these were acceptable in principle, and that these and other detailed constructional matters would all be dealt with as part of the adoption agreement process for highways. WSCC have confirmed that The Parking Strategy Statement as submitted reflected the standards set out in the Urban Design SPD. In terms of the suggested parking condition, this had already been approved as part the outline planning permission.
- The matter of cycle storage had been the subject of a number of discussions regarding the number of spaces, design and location of the cycle stores. Revised plans had recently been submitted, and the Crawley Cycle and Walking Forum had since agreed that cycle storage would be best dealt with by condition.
- Comments by the CBC Refuse and Recycling Team regarding capacity of storage and layout points had since been addressed. A request for dropped kerbs for easier access purposes was now covered by condition (Condition 5).
- It was confirmed that Condition 5, which applied to both bin and cycle storage, would remain as currently drafted.
- In terms of surface water drainage, the Crawley Borough Council's Drainage Officer had confirmed that amended details and calculations were acceptable.
- Further comments had been received on behalf of the Crawley Goods Yard Operators which, as requested in those comments, was read out to the Committee. Those comments referred in particular to the Section 106 Agreement, including that: "The application is only considered acceptable if it is approved with all conditions as proposed and critically subject to the S106 Agreement the terms of which are detailed in brief in the Committee Report."
- With further regard to noise mitigation, discussions on the Section 106 Agreement were now well advanced. The Agreement would ensure that mitigation blocks (the employment building and flat barrier) were completed prior to the occupation of dwellings affected by noise from the railway and the Crawley Goods Yard.
- The Principal Planning Officer further clarified Paragraph 6.5 of the report by emphasising that with the exception of some specific dwellings in the north-east corner of Phase 2C (due to their distance from the railway and Crawley Goods Yard), the Section 106 Agreement would apply to all dwellings both in Phase 2C and Phase 2B. The Section 106 Agreement would reflect this detailed position, and the Crawley Goods Yard had been advised accordingly.
- With regard to paragraph 5.16 of the report, a condition to require the submission of the architectural details of the Juliette balconies was no longer required as the appropriate details had now been received.

# Agenda Item 4

Planning Committee (48)

21 January 2019

- Updated conditions to reflect revised plan / drawing numbers are as set below (in italics):-

## Condition 7     *tree protection*

*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 7827KC/Ph2C/YTREE/TPP01 Rev C and in accordance with measures in the submitted Arboricultural Impact Assessment ref 7827/KC/XX/YTREE/Rev A. 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.*

## Condition 9     *soft landscaping*

*All landscaping works shall be carried out in accordance with the approved soft landscaping specification scheme (667/204 Rev G; 667/205 Rev G; 667/206 Rev G). 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.*

## Condition 10     *hard landscaping*

*The hard landscaping works shall be carried out in accordance with the approved hard landscaping details shown on plans 667/207 Rev H; 667/208 Rev H; 667/209 Rev H. 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.*

Laura Humphries (the Agent for the application) addressed the meeting in support of the application.

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

- Confirmed that the garden sizes for some houses were not fully in accordance with the outdoor space standards, with the largest number of those dwellings being affordable. However, this application had been the subject of various revisions, which each time included further improvements made to the sizes and shapes of the gardens, and in particular to those of the affordable housing units. As a result the garden sizes had significantly improved from the original submission.



# Agenda Item 4

Planning Committee (49)  
21 January 2019

- Emphasised that in terms of seeking to reach 100% compliance with garden sizes for dwellings generally, there were particular constraints that applied to this site, such as the need to set dwellings away from the railway line and Goods Yard (for noise mitigation purposes), which meant that it had not been possible to achieve further revisions.
- Considered that 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 were set out as guidance not policy, it was felt that the development would have an appropriate level of amenity space generally.
- Confirmed that the reference in the report to a two runway airport related to the safeguarding position and the area of land where in principle dwellings would be unacceptable due to future aircraft noise levels. The application site did not lie within this area, so dwellings here were acceptable in principle but noise mitigation was required.
- Explained that the report's use of the word "discount" when referring to some of the proposed affordable dwellings, was a reference to those units that would be offered for shared ownership at a discounted rate.
- Indicated that the Highways Authority would be adopting the majority of roads within the site, including some cul de sacs, and that this would be dealt with as part of the highways adoption agreement process, as would matters in relation to surfacing materials.
- Reiterated that in terms of surface water drainage, the Crawley Borough Council's Drainage Officer had confirmed that he was satisfied with the amended details and calculations.
- Confirmed that whilst the Environmental Health Officer had made comments suggesting the need for sealed windows to open living spaces that overlooked the railway line and Crawley Goods Yard, subsequent changes in layout had meant that there were now no such rooms that overlooked the railway line and Yard areas. There were windows to the communal staircases, hallways and some bathrooms that overlooked the railway line and Yard premises but as these were not living spaces they could be openable windows.

The Committee continued to consider the application information.

## **RESOLVED**

**Approve**, subject to:

- (i) The completion of a Section 106 Agreement as referred to in paragraph 6.5 of report PES/289 (a) and as clarified above.
- (ii) The imposition of the conditions and informatives as set out in that report, and the updated conditions above.

## **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.23 pm

**Chair**

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# Agenda Item 5

**CRAWLEY BOROUGH COUNCIL**  
**PLANNING COMMITTEE - 11 February 2019**  
**REPORT NO: PES/290(a)**

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**REFERENCE NO: CR/2018/0273/FUL**

**LOCATION:** [GATWICK AIRPORT STATION, SOUTH TERMINAL, GATWICK](#)  
**WARD:** Langley Green  
**PROPOSAL:** PROPOSED CONSTRUCTION OF NEW STATION CONCOURSE/AIRPORT ENTRANCE AREA, LINK BRIDGES, PLATFORM CANOPIES, BACK OF HOUSE STAFF ACCOMMODATION AND ASSOCIATED IMPROVEMENT WORKS (AMENDED FLOOD RISK ASSESSMENT RECEIVED)

**TARGET DECISION DATE:** 25 September 2018

**CASE OFFICER:** Mr M. Robinson

**APPLICANTS NAME:** Network Rail Infrastructure Limited  
**AGENTS NAME:** Network Rail Infrastructure Limited

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## **PLANS & DRAWINGS CONSIDERED:**

142637-COT-00000-10-DRG-EAR-000007, Proposed Site Wide Platform Level Plan  
142637-COT-00000-20-DRG-EAR-000002, Existing Site Wide Concourse Level Plan  
142637-COT-00000-40-DRG-EAR-000003, Existing Site Wide Roof Level Plan  
142637-COT-00000-10-DRG-EAR-000001, Existing Site Wide Platform Level Plan  
142637-COT-00000-20-DRG-EAR-000008, Proposed Site Wide Concourse Level Plan  
142637-COT-00000-40-DRG-EAR-000009, Proposed Site Wide Roof Level Plan  
142637-COT-03000-ZZ-DRG-EAR-000251, Airport Entrance Platform - Roof Level Key Interface Detail Proposed Platform 5/6 Escalator  
142637-COT-03000-ZZ-DRG-EAR-000250, Airport Entrance Platform - Proposed Platform 5/6 Escalator  
142637-COT-03000-ZZ-DRG-EAR-000252, Airport Entrance Platform - Roof Level Key Interface Detail Proposed Edge Protection  
142637-COT-03000-ZZ-DRG-EAR-000253, Airport Entrance Platform to Roof Level Key Interface Detail NR Link Bridge  
142637-COT-03000-ZZ-DRG-EAR-000255, Airport Entrance Platform to Roof Level Key Interface Detail Service Riser Zone  
142637-COT-03000-ZZ-DRG-EAR-000254, Airport Entrance Platform to Roof Level Key Interface Detail NR Link Bridge Facade  
142637-COT-02000-00-DRG-EDR-000001, Proposed Foul Water Drainage General Arrangement & Cross Sections  
142637-COT-00000-00-DRG-EDR-000001, Proposed Surface Water Drainage General Arrangement  
142637-NWR-00000-ZZ-SKT-LEP-000001-04, Existing Platform 7 External Western Elevation  
142637-NWR-00000-ZZ-SKT-LEP-000001-03, Existing Platform 7 External Eastern Elevation  
142637-NWR-00000-ZZ-SKT-LEP-000001-06, Existing Platform 7 External Northern Elevation  
142637-NWR-00000-ZZ-SKT-LEP-000001-07, Existing Platform 7 Connection to Station Concourse  
142637-COT-00000-ZZ-SKE-ESU-000001, Site Location Plan  
142637-NWR-00000-ZZ-SKT-LEP-000001-01, Existing - Internal Elevation A - View on Concourse/Platform 7 Link Bridge Interface  
142637-COT-00000-ZZ-DRG-EAR-000201, Proposed Site Wide Platform to Roof Level Section Proposed General Arrangement  
142637-NWR-00000-ZZ-SKT-LEP-000001-08, Existing - Concourse to Platform 7 Interface/Connection CBC 0001, Proposed Realignment of Public Right of Way  
142637-COT-02000-10-DRG-EAR-000004, BOH Building - Proposed Platform to Roof Level Proposed Elevations GA1

# Agenda Item 5

142637-COT-02000-10-DRG-EAR-000007, BOH Building - Proposed Platform Level Site Plan GA

142637-COT-02000-20-DRG-EAR-000005, BOH Building - Proposed Concourse Level GA

## **CONSULTEE NOTIFICATIONS & RESPONSES:-**

1.	Environment Agency	Low environmental risk – no comments.
2.	National Air Traffic Services (NATS)	No safeguarding objection.
3.	Surrey County Council	No comment received.
4.	Mid Sussex District Council	No objection.
5.	Thames Water	No comment received.
6.	Mole Valley District Council	No comment received.
7.	Sussex Police	British Transport Police remit – no comments.
8.	Horsham District Council	No objection.
9.	CBC Drainage Officer	No objection subject to the implementation of the drainage strategy.
10.	Tandridge District Council	No objection.
11.	Reigate and Banstead Borough Council	No comment received.
12.	CBC Environment Team	No comment received.
13.	CBC Environmental Health	No comment received.
14.	CBC Energy Efficiency & Sustainability	No objection – A sustainability statement has subsequently been received that addresses these issues. A condition requiring compliance with BREEAM “Excellent” rating for energy and water is recommended.
15.	CBC Urban Design	No comment received.
16.	WSCC Lead Local Flood Authority	Advice and more information required.

*“Current surface water mapping shows that the majority of the proposed site is at low risk of flooding. The proposed development is shown to be at low risk from ground water flooding based on the current mapping...”*

*Surrey County Council, as a neighbouring LLFA, has also stated the need for betterment as the receiving watercourse flows north into the Gatwick Stream/Surrey...*

*...All works to be undertaken in accordance with the LPA agreed detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles.”*

17.	CBC Gatwick Airport Boundary	Support - The proposed works are appropriate within the airport boundary and would contribute to the safe and efficient operation of the airport within its existing one runway, two terminal configuration. Overall, the proposal is consistent with the relevant Local Plan Infrastructure and Gatwick Airport related policies, and is supported in policy terms.
18.	Gatwick Diamond Grow Group	Support. Gatwick Rail Station is a key gateway to Gatwick Diamond, London and the rest of the UK, for leisure travellers, business travellers and commuters. The updated station will be welcomed by business and leisure travellers alike.
19.	CBC Economic Development	Support – Welcomes and strongly supports this application.
20.	Network Rail	No comment received.
21.	Gatwick Airport limited (GAL) Aerodrome Safeguarding	No objection subject to conditions to control the use of cranes, control of birds, lighting and control of any temporary buildings.
22.	WSCC Highways	None of the roads within Gatwick Airport form a part of

# Agenda Item 5

the publically maintainable network. There will therefore be no impact on the operation of the Network, highway safety or capacity grounds. Additional movements would be temporary and would use appropriate routes managed by Highways England. No objection.

23. British Transport Police

## **NEIGHBOUR NOTIFICATIONS:-**

Advertised via site notices erected on 10<sup>th</sup> July 2018 and a notice published in the local press on 4<sup>th</sup> July 2018.

## **RESPONSES RECEIVED:-**

1. Sussex Chamber of Commerce - Support. – The number of travellers from/to the station is expected to grow. GAL has committed its support for public transport to Gatwick to be used as higher mode share as a part of its Airport Surface Access Strategy targets. Improvements to those travelling via the station and contribution to the regional economy. Rail connectivity at Gatwick Airport makes the station one of the South East's most important transport hubs and this creates the additional capacity and passenger improvements required to support growth for the airport and the region.
2. Manor Royal BID - Support – Gatwick is important as a gateway for domestic, overseas visitors and commuters. The proposal will benefit all users, address safety issues and improve the operation of the rail service. GAL to consider improving wayfinding from concourse to other transport linkages.
3. Gatwick Airport Consultative Committee - Support – The scheme is long overdue to meet congestion on the station concourse and improve the passenger experience of a railway and airport with increasing passenger numbers from the airport and wider region.
4. Metrobus - No objection – The railway station is a vital means of enabling air passengers and staff to travel by sustainable means (including buses) and a key interchange for the local area (Crawley and Horley) as well as the regionally important Manor Royal Business District.
5. East Sussex Rail Alliance - Support- Expanding the rail passenger handling at the Airport – and to cater for the rapidly increasing numbers who use rail to access their flights from this vibrant and growing transport hub is supported. Hope this is the first of investment by Network Rail in passenger handling. Expected to be built with minimal disruption to ultra-heavy commuter services

## **REASON FOR REPORTING TO COMMITTEE:-**

This is a major application comprising the creation of more than 1000sqm of floor-space.

## **THE APPLICATION SITE:-**

- 1.1 The application site comprises Gatwick Airport Railway Station and Gatwick Airport Limited (GAL) land to the east of and adjacent to the railway line.
- 1.2 The application area comprises the 1<sup>st</sup> floor railway station with its linkages into the Gatwick Airport southern terminal to the west. Within the site at ground floor level are the platforms and railway lines. There are also areas of land currently used in servicing airport and a public footpath on the east side of the railway line. There is a very limited amount of operational railway land around the station.
- 1.3 The main London to South Coast railway line runs north/south through the centre of the site. To the east of the site, (and in part), adjacent to the railway line is a public footpath running north/south. Two footbridges linking the car-parks etc. east of the railway line to the Gatwick Airport South Terminal to the west, cross the railway station at 1<sup>st</sup> floor level. . Close to the west of the site and to

# Agenda Item 5

the east of the A23 running north-south is part of the Avenue Verte, Route 21 of the National cycle Network.

- 1.4 The station comprises the main ticket area/concourse that is linked into the southern terminal, a primary access bridge and concourse to all platforms and a secondary bridge providing passenger access to western platforms 1-6. The station has 7 platforms.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 This planning application seeks permission for a new 1<sup>st</sup> floor concourse/entrance area above platforms 5, 6 and 7 linking to the existing secondary point of passenger access between the Gatwick Airport footbridges and the car parks/passenger transport interchange to the east. The new concourse would have a curved roof that would project above the existing footbridges and existing station concourse. It would be constructed with a steel frame. Externally the roof would comprise profiled aluminium sheeting, with inflated EFTE cushion units as roof-lights. Walls would comprise translucent and non-translucent composite and aluminium panel systems.
- 2.2 It would provide improved access for passengers to the platforms 5, 6 and 7 with new lifts/escalators stairways. Platforms 5 and 6 would be widened. Lift and stair access to platforms 3 and 4 would also be provided. Additional canopies would also be erected over platforms 3-7.
- 2.3 The proposals also include the erection of a new “back of house” accommodation building to the east of the railway line and north of the Gatwick Airport northern footbridge. It would be two storeys in height and together with the other alterations/change of use of land to the east of the railway lines, it would require the diversion of a public footpath. The revised siting for the public footpath would run through the lower forecourt area of the Passenger Transport Interchange building (PTI). The “back of house” accommodation building would be of modular construction with aluminium composite cladding.
- 2.4 The following documents have been submitted with the application:
- Design and Access Statement.
  - Flood Risk Assessment – Subsequently updated.
  - Construction Management Plan.
  - Deliverability Strategy.
  - Architectural Specification.
  - Signage and Wayfinding Strategy.
  - Sustainability Statement.

## **PLANNING HISTORY:-**

- 3.1 CR/278/1976 - Change of use of private roadside embankments and verges to railway operational land for purpose of railway works in connection with station reconstruction scheme on land adjoining Gatwick Airport railway station, between the railway and the airport. This is the planning permission for the current position of the railway station on this site.
- 3.2 CR/2012/0310/NTF - Prior approval granted for the construction of a new railway platform, (now platform 7) an extension to the existing concourse including new lifts, escalators and connecting bridge to existing multi storey car park.
- 3.3 CR/2012/0141/CON - Consultation from network rail for the erection of temporary 3 storey porta-cabin offices & associated works within a substation compound to the south of Gatwick Airport Railway Station,

# Agenda Item 5

## PLANNING POLICY:-

### National Planning Policy Framework (July 2018) (NPPF)

- 4.1 Paragraphs 10-11. 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. Para 12 reiterates that the NPPF does not change the statutory status of the development plan.
- 4.2 Planning conditions and obligations Para. 55-56 Planning conditions should be kept to a minimum and used to make otherwise unacceptable development acceptable.
- 4.3 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.
- 4.4 Section 9 – Promoting sustainable transport. Transport issues should be considered from the earliest stages of plan making and development proposals so the impacts on and opportunities from existing infrastructure can be considered. Opportunities to promote sustainable transport are to be identified and pursued, environmental impact assessed, and the considerations then made integral to the design of schemes. Significant development should be focused on locations which are or can be made sustainable, including through offering a genuine choice of transport modes. Opportunities to maximise sustainable transport solutions can vary between urban and rural areas and should be taken into account in plan and decision making. Para 108 includes that in assessing sites it should be ensured that “*appropriate opportunities to promote sustainable transport modes... give the type of development and its location...*” and “*... safe and suitable access to the site can be achieved for all users;...*”. Para 110. Within this context, priority should be given first to pedestrian and cycle movements... “*and second – so far as possible – to facilitating access to high quality public transport,...*”.
- 4.5 Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.6 Section 14 – Meeting the challenge of climate change, flooding and coastal change. New development should reduce greenhouse gas emissions and avoid vulnerability to the impacts from climate change. Local requirements for sustainability of buildings should reflect the Governments policy for national technical standards. Paras 155-165 planning and flood risk, seek to locate inappropriate development away from areas at flood risk, ensure flood risk is not increased elsewhere and make development flood resistant.

### The Crawley Borough Local Plan 2015-2030

- 4.7 The plan was adopted in December 2015 and the following policies are of relevance:-
- 4.8 Policy IN6 **Improving Rail Stations** states that any improvements or development at or within the vicinity of the railway stations will be expected to enhance the specific roles of the individual stations the sustainable access to individual stations and:
  - a) *At Gatwick Station, support its function as an airport-related interchange and provide opportunities for broadening the function of the station as an interchange for surface travellers using rail, coach, Fastway and other buses;...*

Reasoned Justification:

# Agenda Item 5

*“Gatwick rail station is in a highly strategic location for transport, not only within the borough, but for the wider South East region. It is important to seize opportunities for any possible improvements for broadening the function of the station to include further surface travellers, particularly those who use sustainable modes of transport, such as rail or buses.”*

- 4.9 Policy SD1: **Presumption in Favour of Sustainable Development** states that there will be a presumption in favour of sustainable development including
- “1. Progress towards Crawley’s commitment to being carbon neutral by 2050 and adapts to climate change;*
  - 2. Complements Crawley’s character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the use of sustainable travel;*
  - 3. Respects the heritage of the borough;*
  - 4. Protects, enhances and creates opportunities for Crawley’s unique Green Infrastructure;*
  - 5. Provides a safe and secure environment for its residents and visitors;*
  - 6. Provides for the social and economic needs of Crawley’s current and future population; and*
  - 7. Accords with the policies and objectives set out in this Plan unless material considerations indicate otherwise.”*
- 4.10 Policy CH2 **‘Principles of Good Urban Design’** seeks to assist in the creation, retention or enhancement of successful places in Crawley. In particular it seeks to reinforce locally distinctive patterns of development, create continuous frontages onto streets, and create public spaces and routes that are attractive whilst integrating land uses and transport networks.
- 4.11 Policy CH3 **‘Normal Requirements of All New Development’** states that all proposals should be based on a thorough understanding of the significance and distinctiveness of the site, of a high quality in terms of its design, sympathetic to its surroundings, provide a good standard of amenity for future occupants, retain trees which contribute positively to the area, meets its own operational requirement and demonstrate that it addresses the principles included within both ‘Secure by Design’ and ‘Building for Life’ criteria.
- 4.12 Policy CH11: **Rights of Way and Access to the Countryside** Proposals which detract from the character of a right of way must adequately mitigate the impacts or provide a new resource of equal or better value
- 4.13 Policies EC1 **Sustainable Economic Growth** and EC2 **Economic Growth in Main Employment Areas** seek to promote economic growth by ensuring there is no net loss of employment space within the Main Employment Areas one of which is Gatwick Airport. However paragraph 5.31 sets out that policies GAT1 and GAT4 specifically apply to the Airport.
- 4.14 Policy IN2 **Strategic Delivery of Telecommunications Infrastructure** requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.
- 4.15 Policy IN3 **Development and Requirements for Sustainable Transport** requires development to be concentrated in locations where sustainable travel patterns can be achieved.
- 4.16 Policy IN4 **‘Car and Cycle Parking Standards’** states that the appropriate amount of car and cycle parking to meet the needs of a development is assessed against the Council’s car and cycle parking standards.
- 4.17 Policy IN5: **The Location and Provision of New Infrastructure** *“The council will support the provision of new or improved Infrastructure in appropriate locations where the facilities are required to support development or where they add to the range and quality of facilities in the town. Major facilities which serve the whole town or wider area should be located in the most sustainable locations accessible by a variety of means of transport...”*
- 4.18 Policy ENV6 **Sustainable Design and Construction** requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes.



# Agenda Item 5

- 4.19 Policy ENV9 **Tackling Water Stress** requires development to minimise its impact on water resources and promote water efficiency.
- 4.20 Policy ENV10 **Pollution Management and Land Contamination** deals with pollution management and land contamination.
- 4.21 Policy GAT1 **Development of the Airport with a Single Runway**  
Within the airport boundary as set out on the Local Plan Map, the council will support the development of facilities which contribute to the safe and efficient operation of the airport as a single runway, two terminal airport up to 45 million passengers per annum provided that:
- i. The proposed use is appropriate within the airport boundary and contributes to the safe and efficient operation of the airport; and
  - ii. Satisfactory safeguards are in place to mitigate the impact of the operation of the airport on the environment including noise, air quality, flooding, surface access, visual impact and climate change; and
  - iii. The proposed use would not be incompatible with the potential expansion of the airport to accommodate the construction of an additional wide spaced
- 4.22 Policy GAT4: **Employment Uses at Gatwick** includes that “Permission for the creation of any non-airport related commercial floor-space within the airport boundary will only be permitted if it can be demonstrated that it will not have a detrimental effect on the long term ability of the airport to meet the floor-space need necessary to meet the needs of the airport as it expands and will not have an unacceptable impact on the roles and function of Crawley Town Centre or Manor Royal.”

## **PLANNING CONSIDERATIONS:-**

### Principle of the development

- 5.1 Policy IN6 of the Local Plan requires development at or within the vicinity of railway stations to enhance the specific roles of the individual stations, the sustainable access to individual stations and at Gatwick Station, support its function as an airport-related interchange and provide opportunities for broadening the function of the station as an interchange for surface travellers using rail, coach, Fastway and other buses.
- 5.2 The Crawley Infrastructure Plan Nov 2014 identified that improvements to the passenger concourse at Gatwick Station are proposed to help ensure that the best use is made of existing airport capacity.
- 5.3 The proposal would provide an extended and updated railway station at Gatwick Airport and would result in improved infrastructure at this location. It is a highly sustainable location and comprises a major facility to serve the town, Gatwick Airport, Manor Royal and the wider surrounding area. It enhances access to the railway, a highly sustainable mode of transport. In supporting the continued operation of Gatwick Airport as a single runway two terminal airport, and improving the passenger experience, it is considered to comply with the requirements of policy IN6 of the Local Plan and is therefore acceptable in principle.
- 5.4 The following considerations are also relevant in the determination of this planning application:
- Impact upon visual amenity, the character of the area and users of the adjacent footpath;
  - The operational requirements of the development;
  - Flooding and flood risk;
  - Sustainability;
  - The operation of the Highway;
  - The impact upon operation of Gatwick Airport;
  - Airport Safeguarding

Impact upon visual amenity, the character of the area and users of the adjacent footpath;

# Agenda Item 5

- 5.5 The main part of the development that would be visible from outside of the site would be the new concourse above platforms, 5-7. This would be a large modern curved roof structure that would project above the existing airport footbridges, and in addition to views from longer distances locally it would be highly visible from both the public footpath that currently runs north to south along the eastern boundary of the railway and from the footbridge that crosses the railway line to the south. There would also be views of the new structure from beneath the terminal building/cyclepath/footpath (National Cycle Route no.21) to the west and from the car-rental areas at ground floor level to the south-east. There are also likely to be views from within the Passenger Transport Interchange building (PTI) to the east and from the terminal building to the west, although many of the windows in these structures have views to the outside obstructed.
- 5.6 The modern design which proposes the inclusion of extensive translucent materials to enable natural lighting, would, it is considered, add interest to the current dated appearance of the site. Other changes including new canopies to the platforms, enlarged platforms, the provision of a new two storey back of house building and other changes to incorporate additional land within that in use by Network Rail, would when considered against the backdrop and surroundings of the existing terminal and the PTI not have a harmful impact on the area.
- 5.7 It is not considered that the development would detract from the National Cycle route 21 to the west. Views from the footpath that currently runs north-south to the east of the railway line would be marginally harmed as it is proposed to re-direct it away from the railway line to run through the ground floor of the PTI. There would therefore be a slightly poorer visual outlook than it currently has as although the previous route of the footpath did not provide a particularly good outlook, it was least outdoors, but improved access into the airport. The new route through the building would be further to walk, and would be along paving under the main bulk of the building with overall a marginally poorer outlook.
- 5.8 The re-routing of the footpath to the east of the railway line to mitigate the impact of the development on the existing footpath, would retain the provision of a safe and convenient link to nearby rights of way and would overall be of equal value compared to the existing route, one that is already significantly impacted upon by the development at Gatwick Airport. It is not therefore considered that the proposal conflicts with policy CH11 of the Local Plan in regard to the impact upon rights of way and access to the countryside.

## Flooding and flood risk;

- 5.9 The site is situated within an Environment Agency Zone 3 Flood Risk Area. Initial concerns from the Council's Drainage Engineer and the Lead Flood Authority (WSCC) regarding the increased flow rates off site that could result as a consequence of the decrease in permeable area and increase in building form have been overcome by the applicant by providing updated drainage and water run off rate information. This has overcome concerns that the proposal would have resulted in increased flooding downstream of the site, and subject therefore to conditions to require the drainage measures to be implemented and thereafter retained and maintained, it is considered that the concerns regarding the impact on flooding/flood risk has been resolved.

## Sustainability;

- 5.10 The initial concerns of the Council's Energy Efficiency & Sustainability Officer, in regard to energy and water efficiency have been allayed by the subsequent submission of a sustainability statement. This document has considered a number of achievable sustainability measures. On the basis therefore that the implementation of some/all of these measures will be undertaken the sustainability objectives of the Local plan set out on policies ENV6 (Sustainable Design and Construction) and ENV9 (Tackling Water Stress) could be achieved.
- 5.11 The applicant has not currently provided details of how the application will comply with policy ENV7 (District Energy Networks) that identifies the site as being in a priority area for a District Energy Network, that applications that would result in the creation of over 1000sqm of internal floor-space should demonstrate how they have considered: developing its own system for supplying energy to

# Agenda Item 5

any surrounding existing or planned buildings; consider how it might include site wide communal energy systems; or be “network ready”. Further information regarding this issue is however to be received from the applicant regarding this issue and consideration of this will be reported to the committee as an update.

- 5.12 It is therefore considered that the issues relating to sustainability measures can be controlled through the use of a condition to require the applicant to prove that the development has achieved a BREEAM “excellent” energy and water rating to comply with policies ENV6 and ENV9 of the Local plan. It is also considered if necessary after consideration of additional information, that additional condition(s) requiring works in relation to district Energy Networks can require the provision of infrastructure to comply with policy ENV7.

## The impact upon operation highway and operational matters.

- 5.13 In the short term West Sussex County Council have identified that the implementation of the works would not have an impact upon the operation of the publically maintained highway even though in the short term whilst construction is on-going there would be likely to be an increase in vehicle movements to and from the site via the Highways England maintained roads of the trunk road network.
- 5.14 During construction as the development would locally utilise privately owned and managed GAL and Network Rail land within the Gatwick Airport boundary the management of how the proposal would be implemented on site in regard to the wider operation of Gatwick Airport will be down to Network Rail to resolve with GAL as it is not considered there would be impacts on the wider operation of the highway, or due to its location, any other uses outside the wider airport boundary.
- 5.15 Comments from the Cycle forum raised a number of issues relating to access to the Station and cycle parking for passengers. The applicant has confirmed that lifts will be capable of carrying cycles and there will be wider access points within the station for passengers. Cycle access within the station will therefore be improved. Whilst cycle storage is proposed for staff, this application does not include cycle storage for passengers. This is a missed opportunity to improve cycle access to the station and is particularly disappointing given the direct access to the site provided via National Cycle Route 21 (London to Eastbourne via Crawley, and also part of the Avenue Verte from London Paris) that is situated to the immediate west of the railway line.
- 5.16 There are no parking standards for cycle parking for Railway Stations, and the plans do not include either reduction or increase in passenger cycle parking facilities at this location from the current provision of 32 spaces. The sustainability statement sets out that opportunities will be considered at the next stage in the design to provide additional cycle parking, but there are no current plans submitted to show how this would be achieved. The development has a very tight boundary around the direct improvements to the passenger experience in terms of accessing Gatwick Airport including a requirement to use land not currently operational railway land. The areas within the red line are therefore restricted in terms of the opportunities for passenger cycle parking, to be sited, unless it is actually within the building (and hence could be implemented in the future without the need for planning permission) and it is on this basis therefore that on balance the lack of improved cycle parking facilities is considered acceptable when weighed against the other benefits that the scheme will deliver.

## The impact upon the operation of Gatwick Airport;

- 5.17 It is considered that the proposal would help to address identified issues relating to the use of the station, by providing: improved more spacious concourse areas, improved platform access, and enlarged platforms, that will all assist in improving passenger movements/experience within the station and address existing overcrowding issues whilst providing better staff accommodation. It is considered that it would be an enhancement of sustainable travel modes to the airport/and surrounding area and supports the existing function of the station as an airport-related interchange for surface travellers.

# Agenda Item 5

- 5.18 The proposal would, it is considered, provide enhanced passenger experience in the longer term at the railway station at Gatwick Airport, resulting in improved passenger access and egress to/from the Airport by train. It would not add to airport terminal capacity and would not of itself increase passenger numbers. It is considered that it would support Gatwick Airports operation as a one runway, two terminal airport and although passenger numbers per annum have already exceeded the 45million the proposal is to address known the qualitative issues affecting the operation as set out in paragraph 5.12. An improved railway offer should assist in encouraging more passengers to use the railways to access Gatwick Airport in turn helping Gatwick Airport Limited to meet the surface access travel mode obligations required by the Gatwick Airport Legal Agreement. It is therefore considered that it would comply with the three elements of policy GAT1, in that it would:
- be appropriate within the airport boundary and contributes to the safe and efficient operation of the airport; and
  - it supports a more sustainable mode of access to the airport whilst protecting the environment, it would improve surface access and would not adversely impact upon flooding, air quality, noise, visual impact or climate change; and
  - that it is not incompatible with the potential future expansion of the airport, as if the airport was to expand in the future the station would be retained at this site, and would not conflict with either the provision of an additional runway or the associated additional development that would be required to support expansion.

The impact upon the operation of Gatwick Airport would therefore be positive and would not conflict with Policy GAT1 of the Crawley Borough Local Plan.

## Airport Safeguarding

- 5.19 Gatwick Airport Limited Aerodrome Safeguarding and National Air Traffic Services (NATS) have no objection to the proposals on aerodrome safeguarding grounds, subject to conditions to control the use of cranes, to control birds, restrict lighting and to control of any temporary buildings, and on this basis it is not considered the development would have an adverse impact upon the safe operation of Gatwick Airport.

## Other

- 5.20 There are no nearby residential properties and there is some separation from the closest business uses that are not part of the direct operation of the Airport. It is not therefore considered that there would be harm in terms of noise/disturbance to residential amenity or the operation of other nearby uses.

## **CONCLUSIONS:-**

- 6.1 The proposed alterations to Gatwick Airport Railway Station would enhance the facility and providing an improved sustainable transport mode of accessing Gatwick Airport and the surrounding area including Manor Royal in accordance with and supported by policy IN6 of the Local Plan. The development would support the operation of Gatwick Airport as a single runway two terminal airport as set out in policy GAT1 of the Local Plan.
- 6.2 It is considered that there would not be adverse impacts upon the operation of the local Highway network, and in terms of visual and amenity impact the affect would be acceptable. Whilst the public footpath route through the site would be adversely affected and further details of sustainability measures are required to ensure compliance with policies ENV6 and ENV9 the latter issue can be addressed through suitable conditional controls.
- 6.3 The applicant has provided additional information relating to the impact that the development may have had on drainage and flood risk outside the site and this has overcome initial concerns from consultees. Provided the development is undertaken in accordance with the amended Flood Risk Assessment these issues will be addressed.

# Agenda Item 5

- 6.4 It is therefore considered that in the planning balance the advantages of the development would outweigh the harm caused to users of the public footpath, and on this basis it is recommended that planning permission should be granted subject to the following conditions.

## **RECOMMENDATION RE: CR/2018/0273/FUL**

Permit subject to conditions.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development above platform level shall be carried out unless and until a schedule of materials and finishes and, samples of such materials and finishes to be used for external finishes of the proposed building have been submitted to and approved by the Local Planning Authority.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
  - Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.
  - The bird proofing of any ledges/crevices to prevent access to birds.

The Bird Hazard Management Plan shall be implemented as approved upon completion of the development and shall remain in force in perpetuity. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with policy GAt1 of the Crawley Borough Local Plan 2015-2030.
5. Before development commences details of construction lighting including obstacle lighting to be placed on cranes or other tall construction equipment shall be submitted to and approved in writing by the Local Planning Authority. No subsequent alterations shall take place unless first submitted to and approved in writing the Local Planning Authority.  
REASON: It is necessary to control the construction lighting on this development to avoid confusion with aeronautical ground lighting and to prevent glint and glare to pilots and ATC which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy GAt1 of the Crawley Borough Local Plan 2015-2030.
6. Before development commences details of the permanent lighting scheme for the development shall be submitted to and approved in writing by the Local Planning Authority. No subsequent alterations shall take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: It is necessary to control the permanent lighting arrangements on this development to avoid confusion with aeronautical ground lighting and to prevent glint and glare to pilots and ATC which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with policy GAT1 of the Crawley Borough Local Plan 2015-2030.

For Information: Please refer to AOA Advice Note 2 'Lighting Near Aerodromes', available from:  
<http://www.aoa.org.uk/policy-campaigns/operations-safety/>

# Agenda Item 5

7. Development shall not commence until details of cranes and other tall construction equipment have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include:  
Crane types  
Crane heights  
Crane locations including six figure eastings & northings grid references  
Operational times  
No subsequent alterations shall take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: To ensure that any cranes/tall construction equipment does not breach the Obstacle Limitation Surface (OLS) and do not interfere with navigational aids and endanger aircraft movements and the safe operation of the aerodrome in accordance with Policy GAT1 of the Crawley Borough Local Plan 2015-2030.

For Information: Please refer to AOA Advice Note 4 'Cranes & Other Construction Issues', available from: <http://www.aoa.org.uk/policy-campaigns/operations-safety/>

8. Development shall not commence until details of any temporary buildings to be used during the construction period have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the following matters:
- Locations including six figure eastings & northings grid references of any temporary buildings
  - Dimensions of any temporary buildings including heights in metres
- No subsequent alterations shall take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: To ensure that temporary buildings do not breach the Obstacle Limitation Surface (OLS) and do not interfere with navigational aids and endanger aircraft movements and the safe operation of the aerodrome in accordance with Policy GAT1 of the Crawley Borough Local Plan 2015-2030.
9. No development shall take place until details of surface water drainage, which shall follow the principles of sustainable drainage as far as practicable, and a timetable for its implementation have been submitted to and been approved by the Local Planning Authority. The drainage shall be provided in accordance with the approved details and timetable.  
REASON: In order to secure a satisfactory standard of development, having regard to policy ENV8 of the Crawley Borough Local plan 2015-2030.
10. Details for the long term maintenance arrangements for any parts of the drainage system which will not be adopted shall have been submitted to and been approved in writing by the Local Planning Authority prior to the installation of drainage system. The submitted details should specify the responsibilities of each party for the implementation of the SUDS scheme, a timetable for implementation, provide a management plan and maintenance plan for the lifetime of the development. The management and maintenance arrangements shall be carried out in accordance with the approved details over the period specified.  
REASON: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.
11. Prior to the first use of the "Back of House" (BOH) accommodation building, a secure cycle store for staff shall have been installed in accordance with details that have first been submitted to and been approved in writing by the local planning Authority. The secure cycle store shall thereafter be retained for the purposes of storing cycles.  
REASON: To ensure the operational requirements of the site in terms of staff cycle storage are provided in accordance with policy IN4 of the Crawley Borough Local plan 2015-2030.
12. Prior to the first use of the "Back of House" (BOH) accommodation building, the access road, parking and turning area on drawing no. 142637-COT-02000-10-DRG-EAR-000007 shall have been implemented and shall thereafter be retained for access and the parking, turning/loading and/or unloading of vehicles and such space shall not thereafter be used other than for the purposes for which it is provided.

# Agenda Item 5

REASON: In the interests of the safe operational requirements of the site and to accord with approved policy in accordance with policies CH3 of the Crawley Borough Local Plan 2015-2030.

13. The refuse bin provision shown on drawing no. 142637-COT-02000-10-DRG-EAR-000007 shall not be installed until details of the single storey building to enclose the refuse bin provision have been submitted to and been approved in writing by the Local Plan Authority. The refuse bin provision shall thereafter be implemented in accordance with the approved plans prior to the "Back of House" (BOH) accommodation building being brought into use.

REASON: To ensure the operational requirements of the site are met in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

14. Within six months of the substantial completion of the following respective individual parts of the development:
- a). the 1st floor station concourse; or,
  - b). back of house building,
- a full BREAAAM Assessment shall have been carried out and post construction BREEAM Certification to achieve the minimum Energy and Water credits required for BREEAM "Excellent" for each of these respective individual parts of the development or the development as a whole shall have been submitted to the Local Planning Authority.

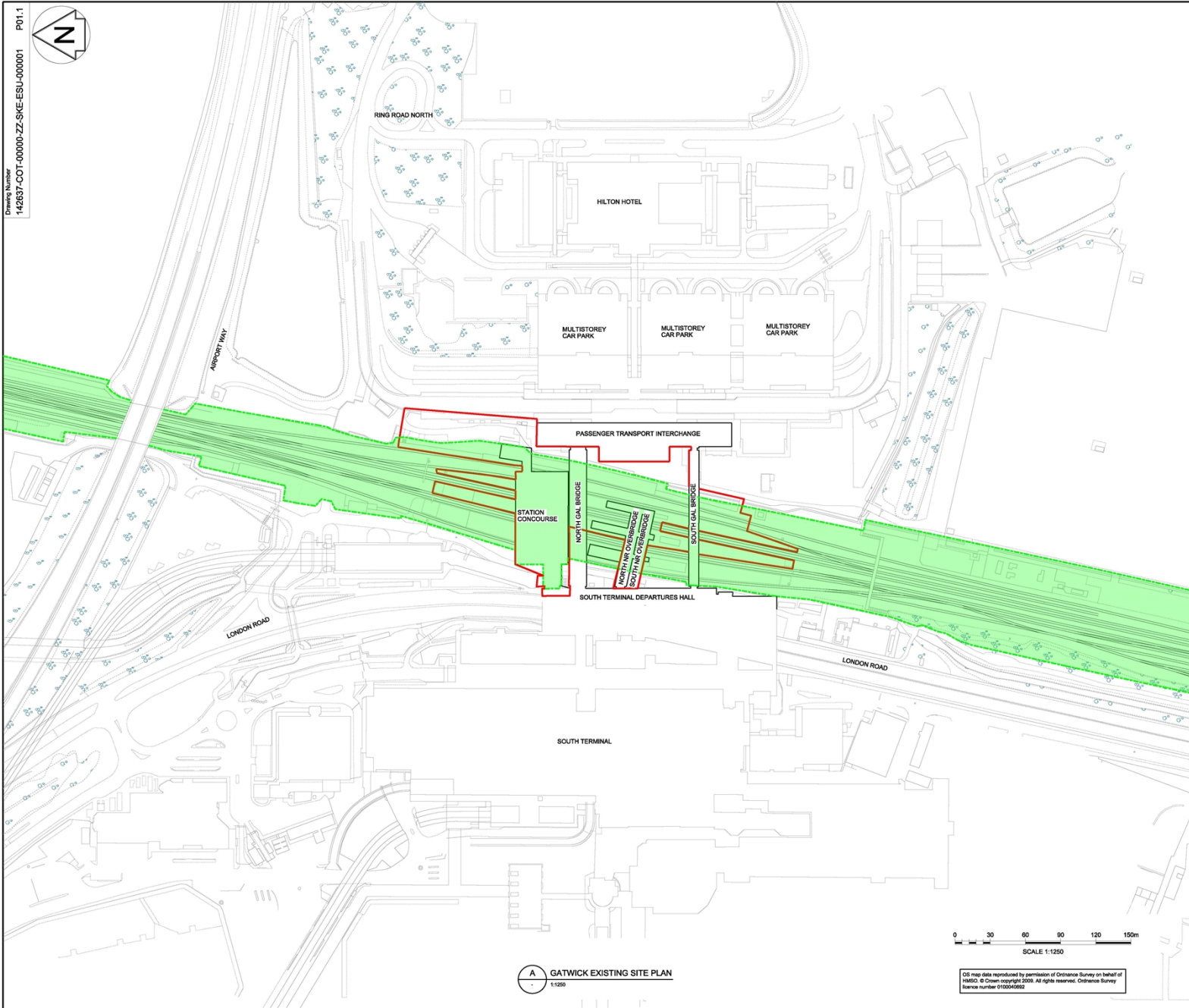
REASON: In the interests of sustainable design and construction in accordance with the Local Plan Policies ENV6 and ENV9.

## 1. NPPF Statement

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

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


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




Legend/Notes


- ALL LEVELS IN METERS UNLESS STATED OTHERWISE
- ALL DIMENSIONS IN MILLIMETERS UNLESS STATED OTHERWISE
- SURVEY MODEL INFORMATION IS TAKEN FROM 142637-COT-00000-ZZ-MCM-ESU-00001 AND HAD BEEN MODELLED TO A SURVEY ACCURACY BAND +/- 5mm
- SURVEY MODEL INFORMATION TAKEN FROM 142637-RSK-MOD-MD-294958-02 HAS BEEN MODELLED TO A SURVEY ACCURACY BAND +/- 50 - 100mm



**LEGEND**

 DENOTES NR BOUNDARY & LAND OWNERSHIP

 Site Location Boundary  
DENOTES CONSTRUCTION WORK AREA

Rev	Date	Description of Revisions	Drawn	Check	Appr	Subsiding
<b>Work In Progress</b>						
						<b>S0</b>



Authorised	Signed	Date
Contractor(s)  <b>TSP</b> 	Authorised by eSign	

Location/Level Site Wide

Type	Drawing	Sub-type	General Arrangement
Rate		Discipline	General
Volume/System			
Planning	GRIP 3	Grid Stage	3
Project			

**Gatwick Station Project**

**142637 - Gatwick Station Project**

Contract No.

Contract Title

Drawing Title

**SITE LOCATION PLAN**

Designed	COSTAIN	Signed	Date
Drawn	Nick Stanley	Signed	Date
Checked	---	Signed	Date
Approved	---	Signed	Date
Scale(s)	ELR & Mileage		

As Shown to Sheet

Alternative Reference of

Drawing Number 142637-COT-00000-ZZ-SKE-ESU-000001

Revision P01.1



# Agenda Item 6

**CRAWLEY BOROUGH COUNCIL**  
**PLANNING COMMITTEE - 11 February 2019**  
**REPORT NO: PES/290(b)**

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**REFERENCE NO: CR/2018/0831/FUL**

**LOCATION:** [22 DENE TYE, POUND HILL, CRAWLEY](#)  
**WARD:** Pound Hill South and Worth  
**PROPOSAL:** ERECTION OF A PART TWO STOREY & PART FIRST FLOOR FRONT EXTENSION OVER THE EXISTING GARAGE, RE-CLAD EXISTING DORMER WINDOW WITH DARK GREY BOARDING AND INSTALL TWO WINDOWS ON THE WESTERN FLANK ELEVATION

**TARGET DECISION DATE:** 31 December 2018

**CASE OFFICER:** Miss S. Hobden

**APPLICANTS NAME:** Mr J Nayler  
**AGENTS NAME:**

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**REASON FOR REPORTING TO COMMITTEE:**

Member call in – Councillor Pendlington

**PLANS & DRAWINGS CONSIDERED:**

J400-150, Site Location & Block Plans, Existing & Proposed Elevations & Floor Plans

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

1. National Air Traffic Services (NATS) - No Objection

**NEIGHBOUR NOTIFICATIONS:-**

9, 11, 18, 20 and 24 Dene Tye;  
22 and 23 Oakhill Chase.

**RESPONSES RECEIVED:-**

Three representations have been received objecting on the following grounds:

- Concerns regarding the extension projecting forward of the original building line.
- Concerns regarding the extension limiting parking for three cars.
- Concerns regarding driveway obstruction to neighbouring property and if the Council can prevent this from happening.
- Concerns that the proposed extension may set a precedent in the street scene for future development of this type.

**THE APPLICATION SITE:-**

- 1.1 The application property relates to a two storey detached dwelling located on the southern side of Dene Tye within the residential neighbourhood of Pound Hill. The dwelling is brick built with a concrete tile roof and chimney, it has been extended with a front projecting cat slide roof element with dormer and integral garage with flat roof over the front door. The property has an open frontage

# Agenda Item 6

with space to accommodate three vehicles off street. The houses within this row of properties are in a staggered layout.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Planning permission is sought for a part two storey and part first floor front extension over the existing flat roof garage and front door. The extension would have a gable end facing the road and would be set 0.3m below the ridge height of the existing house. It would have a width of 4.9m and project from the 1<sup>st</sup> floor by 5.6m and would project forward of the previously extended ground floor by 1.5m. Materials would include matching roof tiles, brick walls and windows and the recladding of the dormer window with dark grey boarding. The proposed development would also consist of the installation of two opaque windows to the western flank elevation. Internally the space would provide for an extended bedroom with dressing room and en-suite at first floor level and an extended garage (although not large enough for a standard car parking space) and hall at ground floor level.

## **PLANNING HISTORY:-**

- 3.1 CR/2006/0030/FUL – Erection of two storey rear extension – Permitted and implemented.
- 3.2 CR/086/1979 - Erection of addition at first floor level to enlarge bedroom by extending roof line and provision of dormer window – Permitted and implemented.
- 3.3 CR/492/78 - Erection of extension to hall and front ground floor living room – Permitted and implemented.
- 3.4 CR/359/70 - Erection of 68 detached dwellings with garages together with roads and sewers – Permitted.
- 3.5 CR/195/68 – Residential development at a density of not more than 8 dwellings to the acre – Permitted.

## **PLANNING POLICY:-**

- 4.1 National Planning Policy Framework (2018)
- Section 2, Paragraph 11 (Presumption in favour of sustainable development). At the heart of the framework is a presumption in favour of sustainable development.
  - Section 12 (Achieving well-designed places) states the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 4.2 Crawley Borough Local Plan 2015-2030

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

- Policy SD1 (Presumption in favour of sustainable development) in line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH2 (Principles of Good Urban Design) in order to assist in the creation, retention or enhancement of successful places.
- Policy CH3 (Normal requirements of all development) states all proposals for development in Crawley will be required to make positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and

# Agenda Item 6

buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.

- Policy ENV6 (Sustainable Design and Construction) All development, including the alteration and extension of existing buildings, should consider how it may achieve the sustainability objectives in relation to carbon.

## 4.3 Supplementary Planning Documents

The Urban Design SPD is a non-statutory document which supplements the policies of the Local Plan and is applicable to this application. It contains guidelines on the standards the Council expects for the design of extensions. In particular, it states that:

- *'An extension with good design in mind will relate appropriately to the parent dwellings character and style, dimensions, materials and finishes of the parent dwelling and the character of the neighbourhood. Furthermore, when considering an extension it is important to think about the impact the development may have on your neighbours and the wider area.'*
- *'Development should incorporate materials and colours that match the existing dwelling or, where appropriate, contrast with it.'*
- *'Extensions should consider existing roof pitches. A roof design that sits in harmony with the existing roof will usually be more acceptable.'*
- *'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.'*
- *'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, consideration should be given to designing an extension with sensitivity towards neighbouring houses and the street scene.'*
- *'Front extensions 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.'*

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

## **PLANNING CONSIDERATIONS:-**

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

- The impact on the character and appearance of the dwelling and the street scene.
- The impact on neighbouring properties.
- The impact on parking arrangements.

The impact on the character and appearance of the dwelling and the street scene.

5.2 The application site is located on the southern side of Dene Tye and is part of a cul-de-sac residential area of two storey detached dwellings, constructed as a part of the same development. This development was originally designed with a limited number of distinct detached house types. It is noted that neighbouring properties have been altered over time with front and side extensions and the application property has been altered through a southern rear two storey extension and a projecting front cat slide roof extension with box dormer although all houses have retained parts of the original frontages.

5.3 NPPF and Local Plan Policies CH2 and CH3 seek sympathetic and high quality design and state that all proposals for development will be required to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of

# Agenda Item 6

scale, height, massing, layout, details and materials. According to the Urban Design SPD, front extensions cause one of the most significant alterations to the appearance of the house and street scene. They should therefore complement the house and the street scene rather than standing out and this can be achieved by matching the existing roof pitches, design details and materials of the main dwelling and the character of the neighbourhood.

- 5.4 A key concern with this application is the impact that the proposed first floor front extension would have on the appearance of the existing dwelling and the street scene. The design of the proposed first floor front extension would incorporate a gable roof element to the front elevation and would be positioned directly over the garage and project a further 1.5m forward of the original building line of the garage to create a full two storey front projection feature. The property is characterised by its original two storey front elevation with the cat slide roof with front dormer extension to one side. This catslide roof and dormer extension is now the prominent characteristic along with the original front elevation, of the house.
- 5.5 The proposed front extension over the existing garage with projecting front gable end, would be considered to have an overly dominant and awkward relationship with the already prominent cat slide roof with front dormer extension and would result in a dwelling compared to which there is nothing similar within the street scene/area as nearby dwellings have all specific elements on main two storey facades that retain the consistency in the overall character of the houses within the street, even within the context of the variety of original designs.
- 5.6 The gabled front extension would result in a significant change to the design, appearance and massing of the dwelling, appearing visually prominent, bulky and out of character within the immediate street scene. This poor gable design in the context of the existing building, is exacerbated by the fact that the extension and dormer would be clad in a dark grey cladding of which is not a material used in the immediate street scene, and which would emphasise its prominence. The new roof would also not maintain the existing eaves level and the introduction of a window that would not be in similar proportions to the original first floor window is also out keeping with the existing dwelling.
- 5.7 It is noted that there are other front gable extensions/features within the immediate street scene however, it is considered that these are better integrated with the character of the original house and therefore more sympathetic to the original design. The combination of the existing cat slide roof with dormer extension and the proposed gable extension together are not considered to relate well with each other and detract from the original design and character of the house.
- 5.8 The proposed front gabled two storey extension due to its, prominent siting, roof type and scale / massing fails to respect the scale, design and form of the original property. It would be visually prominent and would have a significant detrimental impact on the appearance of the dwelling and the street scene harming the visual amenity of the area contrary to the Local Policies CH2 and CH3, the Urban Design SPD and the relevant paragraphs of the NPPF.

## The impact on neighbouring properties.

- 5.9 The extension would be separated from the facing dwelling by a road and a distance of over 25m. it is not considered it would adverse impact upon the occupiers of the houses on the opposite side of the road.
- 5.10 Due to the siting and position of the proposed extension, the adjoining properties to the east and west would not be adversely affected due to the staggered building line and the separation distance between these dwellings. It is therefore considered that in terms of residential amenities, the

# Agenda Item 6

proposal would not have any detrimental impact on the occupants of neighbouring properties and it would accord with the relevant Local Plan Policies, the Urban Design SPD and the NPPF in this regard.

## The impact on parking arrangements.

- 5.11 The proposal would remain as a 5-bedroom dwelling as shown on the plans. To the front hardstanding area there is space to accommodate 2-3 vehicles. According to the Urban Design SPD the minimum parking standards for a 3 plus bedroom dwelling in this location are 2-3 spaces. As such the parking arrangements are considered satisfactory and would accord with the guidance for a dwelling of this size and location and with the Local Plan Policies CH3 and IN4, and the NPPF.

## **CONCLUSIONS:-**

- 6.1 The prominent siting, incongruous design, materials, roof type, scale and massing of the proposed first floor front extension is considered to detract from the design and character of the original dwelling, and harm the visual amenities of the street scene and the area. The proposal would therefore be contrary to the Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030, the relevant paragraphs of the NPPF and the guidance contained within Urban Design SPD.

## **RECOMMENDATION RE: CR/2018/0831/FUL**

REFUSE - For the following reason(s):-

1. The proposed front extension by virtue of its prominent siting, incongruous design, materials, scale and massing fails to respect the scale, design and form of the original property within the street scene and would therefore be harmful to the character and appearance of the existing dwelling and the visual amenities of the street scene/area. The proposal conflicts with Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030, the Urban Design Supplementary Planning Document (2016) and the relevant paragraphs of the National Planning Policy (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:

- Liaising with members and the agent in discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Informing the agent of identified issues that are so fundamental that it has not been possible to negotiate a satisfactory way forward due to the harm that would be caused.

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

# Agenda Item 6



## ArcGIS Web Map



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

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# Agenda Item 7

**CRAWLEY BOROUGH COUNCIL**  
**PLANNING COMMITTEE - 11 February 2019**  
REPORT NO: PES/290(c)

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**REFERENCE NO: CR/2018/0834/FUL**

**LOCATION:** [NCP CROSS KEYS CAR PARK, THE BROADWAY, HIGH STREET NORTHGATE, CRAWLEY](#)

**WARD:** Northgate

**PROPOSAL:** RETROSPECTIVE PLANNING APPLICATION FOR THE INSTALLATION OF 1NO. POLE MOUNTED AUTOMATIC NUMBER PLATE RECOGNITION (ANPR) CAMERA

**TARGET DECISION DATE:** 12 February 2019

**CASE OFFICER:** Ms Z. Brown

**APPLICANTS NAME:** National Car Parks

**AGENTS NAME:**

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## **PLANS & DRAWINGS CONSIDERED:**

P1015/253, Site Location Plan  
P1015/252, Crawley Signage Layout

## **CONSULTEE NOTIFICATIONS & RESPONSES:-**

1. Listed Building Officer - No objection to the camera in isolation.

## **NEIGHBOUR NOTIFICATIONS:-**

St Johns Church, High street;  
Manpower UK Ltd, 35 The Broadway;  
EDF Energy PLC First and Second Floors, 50-52 The Broadway;  
Flat, St Johns Hall, High Street;  
Debra Charity Furniture Shop, 5-52 The Broadway;  
St Catherines Hospice, 31 The Broadway;  
St Johns Hall, High Street;  
YMCA, 33 The Broadway;  
TAJ The Grocer, 12 Haslett Avenue West.

Site notices were displayed from 20/12/2018 to 13/01/2019.

## **RESPONSES RECEIVED:-**

One representation was received from a nearby residential property highlighted concerns over potential overlooking and loss of privacy from the camera. The Officer has responded to this representation explaining that the camera would face the north-east direction and would have no view into the flat at St John's Hall.

Three objections have been received raising the following matters:

# Agenda Item 7

- The ANPR camera and poles with spikes look like something from a prison camp and the car park is next to a Grade II\* Listed Building;
- The car park is out of character and does not enhance the area - *(It should be noted that this is a retrospective application for the ANPR camera only and does not relate to the use of the site as a car park (that has planning permission dating back to 1975), the layout of the car park, noise or pollution (issues relating to the use)*
- Concerns regarding the proximity of the site and camera to St John's Church, the oldest building in the town centre.

## **REASON FOR REPORTING TO COMMITTEE:-**

The application has been called in by Councillors Guidera, Councillor Jaggard and Councillor Peck.

## **THE APPLICATION SITE:-**

- 1.1 The application site relates to an open car park located on the western side of The Broadway, within the Town Centre. The car park is located to the south of Cross Keys, and to the north of and adjacent to, St John the Baptist which is a Grade II\* Listed Church. The car park contains 29 spaces and the entrance/exit is on the northern side onto Cross Keys opposite the charity shop. There are yellow bollards around the perimeter of the car park.
- 1.2 There are 12 existing panel signs on the site, there are six different styles. They are yellow with black lettering/symbols.
- 1.3 The car park is also adjacent to the High Street Conservation Area to the south and west. There are no other identified site constraints.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Retrospective planning permission is sought for the installation of 1no. ANPR camera on a galvanised steel column with an anti-climb guard. The camera is mounted on the top of a pole at 4m in height with the anti-climb guard below. The camera dimensions are approximately 100mm x 100mm x 100mm. The camera and column are located at the centre of the site within the pay area, and face the entrance/exit of the car park to the north.
- 2.2 The application does not relate to the second pole to the south-west of the ANPR camera that does not have a camera atop it.

## **PLANNING HISTORY:-**

- 3.1 Enforcement history - The camera is in situ. The application follows a complaint received by the Council last year. In a letter dated 30<sup>th</sup> August 2018 to NCP, Officers advised the applicant to remove the camera. The applicants have chosen to submit a retrospective application to regularise what has been installed on site and it is for the Planning Committee to determine the application before it on its planning merits.
- 3.2 The related application for the signage is CR/2018/0835/ADV – ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 12NO. NON-ILLUMINATED POST MOUNTED SIGNS. . This is also to be considered at this meeting.
- 3.3 The use of the land for a car park was permitted in 1975 - CR/52/75 – West Side of Cross Keys, Northgate – CHANGE OF USE FOR PARKING OF MOTOR VEHICLES.



# Agenda Item 7

- 3.4 There is one undetermined application which relates to the application site - CR/2018/0079/FUL – DEMOLITION OF THE EXISTING CHURCH HALL FOR THE CONSTRUCTION OF GROUND FLOOR RETAIL/COMMUNITY SPACE/APARTMENTS WITH APARTMENTS ABOVE (TOTAL 34 DWELLINGS).

## **PLANNING POLICY:-**

### 4.1 National Planning Policy Framework (2018)

- Section 2, Paragraph 11 (Presumption in favour of sustainable development). At the heart of the framework is a presumption in favour of sustainable development.
- Section 12 (Achieving well-designed places). Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

### 4.2 Crawley Local Plan (2030)

- Policy CH2 (Principles of Good Urban Design) seeks new development proposals will be required to respond to and reinforce locally distinctive patterns of development and landscape character.
- Policy CH3 (Normal Requirements of All New Development) states all proposals for development in Crawley will be of a high quality in terms of urban and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, layout, details and materials. Development must provide and retain a good standard of amenity for all nearby and future occupants of land and buildings, and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- Policy CH12: (Heritage Assets) all development should ensure that Crawley's designated and non-designated heritage assets are treated as a finite resource and that their key features or significance is not lost as a result of development.
- Policy CH15: (Listed Buildings and Structures) states that any changes must preserve the design and character of the Listed Building and have regard to its historic significance.

### 4.3 Urban Design SPD (October 2015)

The Urban Design SPD is a non-statutory document which supplements the policies of the Local Plan and contains guidelines on the standards the Council expects for the design of buildings and structures in the public and private domain. With reference to commercial and retail development the document states:

- *Non-residential developments should address the street and the public realm in a considerate manner. The appropriate scale and massing of the development will depend on the location and existing urban fabric.*
- *Consideration should be made of the use of the appropriate materials and colours*

## **PLANNING CONSIDERATIONS:-**

- 5.1 It has come to Planning Officers attention through representations and comments received during the determination of this application that there are concerns over the conduct of NCP and the issuing of Fixed Parking Notices. The comments received and issues raised above are not matters

# Agenda Item 7

for Council as the Local Planning Authority to consider, and therefore do not form part of the formal consideration of this application.

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

- The impact on the visual amenity of the site, the street scene, the wider area and Listed Building;
- The impact on neighbour amenity;
- The impact on highways and parking arrangements.

The impact on the visual amenity of the site, the street scene, the wider area and Listed Building.

5.3 The existing surface carpark is visible in the streetscene of The Broadway. The open character of the site provides a break in the built form between the modern commercial development to the north and the boundary of the High Street Conservation Area and the curtilage of the Grade II\* Listed Church, St Johns the Baptist to the south, which is surrounded by a landscaped graveyard, with mature trees and some hedging along its northern boundary.

5.4 The main considerations for the determination of this application are the impact the ANPR camera and pole has on the visual amenity of the site, the wider area and the setting of the Listed Building. Policy CH2 states that development proposals will be required to respond to and reinforce locally distinctive patterns of development, and protect heritage assets. Policy CH3 states that development proposals should be based on a thorough understanding of the significance and distinctiveness of the site, and its immediate and wider context, and demonstrate how attractive or important features which made a positive contribution to the area would be integrated, protected and enhanced. They should also relate sympathetically to their surroundings in terms of scale, height, orientation, details and materials.

5.5 The proposed ANPR camera and pole would be located within the centre of the site. The layout of the car park consists of 4 rows of parking spaces, with a central pay station area. The boundary treatments are comprised of 1m high yellow posts which are positioned at regular 2m intervals around the perimeter of the site. There is a wide pavement on the eastern side of the site.

5.6 Although the camera, pole and associated anti-climb guard are visible when viewed from both the north and south it is considered that the height of 4m is of a reasonable scale would not appear dominant in the area. There are already a number of other poles/lamp posts which exceed 4 metres in height and carry lights within the immediate vicinity of the site. The pole, camera and anti-climb guard are not considered to be out of keeping with existing similar types of structures in the area. It is not considered to result in an unacceptable visual impact in its own right.

5.7 In regards to the impact on the heritage assets to the south and west (Listed Church and Conservation Area), there are mature trees along the shared boundary which partially screen the church. It is considered that given the positioning of the camera in the centre of the site and the space around it, there would not be any significant impact on the visual amenity of the church or the conservation area. Similarly the scale and height of the camera and pole is considered to appear relatively inconspicuous in relation to the neighbouring heritage assets and is not individually detrimental to the setting of the Listed Building or the context of the High Street Conservation Area.

5.8 Overall the positioning, height, design and materials of the proposal is considered to be satisfactory, and would not have a significant detrimental impact on the visual amenity of the site, the wider streetscene or the setting of the Listed Building/High Street Conservation Area. It would therefore

# Agenda Item 7

accord with Policies CH2, CH3, CH12 and CH15 of the Crawley Borough Local Plan (2015-2030), the Urban Design SPD (2016), and the NPPF (2018).

## The impact on neighbour amenity

- 5.9 Comments have been received from occupants of The Flat at St John's Hall, highlighted concerns over loss of privacy and whether the camera would see into the windows/doors of the property.
- 5.10 The nearest residential properties are located on The Broadway, approximately 40m to the north and fronting The Broadway, and St Johns Hall 23m to the west. The camera is positioned to face the retail units to the north and would not have any view of the nearest residential properties to the west (St Johns Hall). The area the camera views is shown on the submitted plans and it is considered expedient to restrict the view of the camera to this area to prevent potential for it to be moved and point towards nearby residential properties.
- 5.11 The camera pole is positioned on a slim pole and given that there would only be one camera on the site, it is not considered to have a significant impact on the amenity of neighbouring properties by way of loss of privacy or overshadowing or over dominance.
- 5.12 The proposal is therefore considered acceptable in this regard, and would comply with the relevant Local Plan Policies, the design guidance contained within the Urban Design SPD and the relevant paragraphs of the NPPF (2018).

## The impact on highways and parking arrangements

- 5.13 The camera pole is sited in the centre of the car park, and although the parking layout has been reconfigured to accommodate the central pay station area, it has not resulted in the loss of parking spaces, and two disabled parking spaces are also still provided. There is also sufficient space for pedestrians to move around. The proposal is therefore considered acceptable in this regard and would comply with the relevant Local Plan Policies and the NPPF (2018).

## **CONCLUSIONS:-**

- 6.1 Overall it is considered that the camera pole and camera are of an appropriate scale, design and siting, and do not have an unacceptable impact on the visual amenity of the site, the streetscene or the setting of the Listed Building/High Street Conservation Area. The camera is also not considered to have a detrimental impact on the amenities enjoyed by the occupants of nearby properties, or impact on highways, parking arrangements or pedestrian safety. The proposal is therefore considered to accord with the policies outlined in the NPPF (2018), the Crawley Borough Local Plan (2015-2030) and the Urban Design Supplementary Planning Document (2016).

## **RECOMMENDATION RE: CR/2018/0834/FUL**

### PERMIT

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:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.

# Agenda Item 7

2. The ANPR camera hereby permitted shall only be operated to view the street level / number plate field of vision identified by the blue dashed line incorporating the "Exit and Entry" points identified on drawing Signage Layout, no.P1015/252 A. The ANPR camera shall not thereafter breach the agreed field of vision.

REASON: In the interests of the amenity of nearby residential properties. In accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

## INFORMATIVE(S)

1. Notwithstanding the signage shown on the submitted plans this planning application does not relate to the signage for which a separate advertisement consent is required.

## NPPF Statement

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

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

# Agenda Item 7

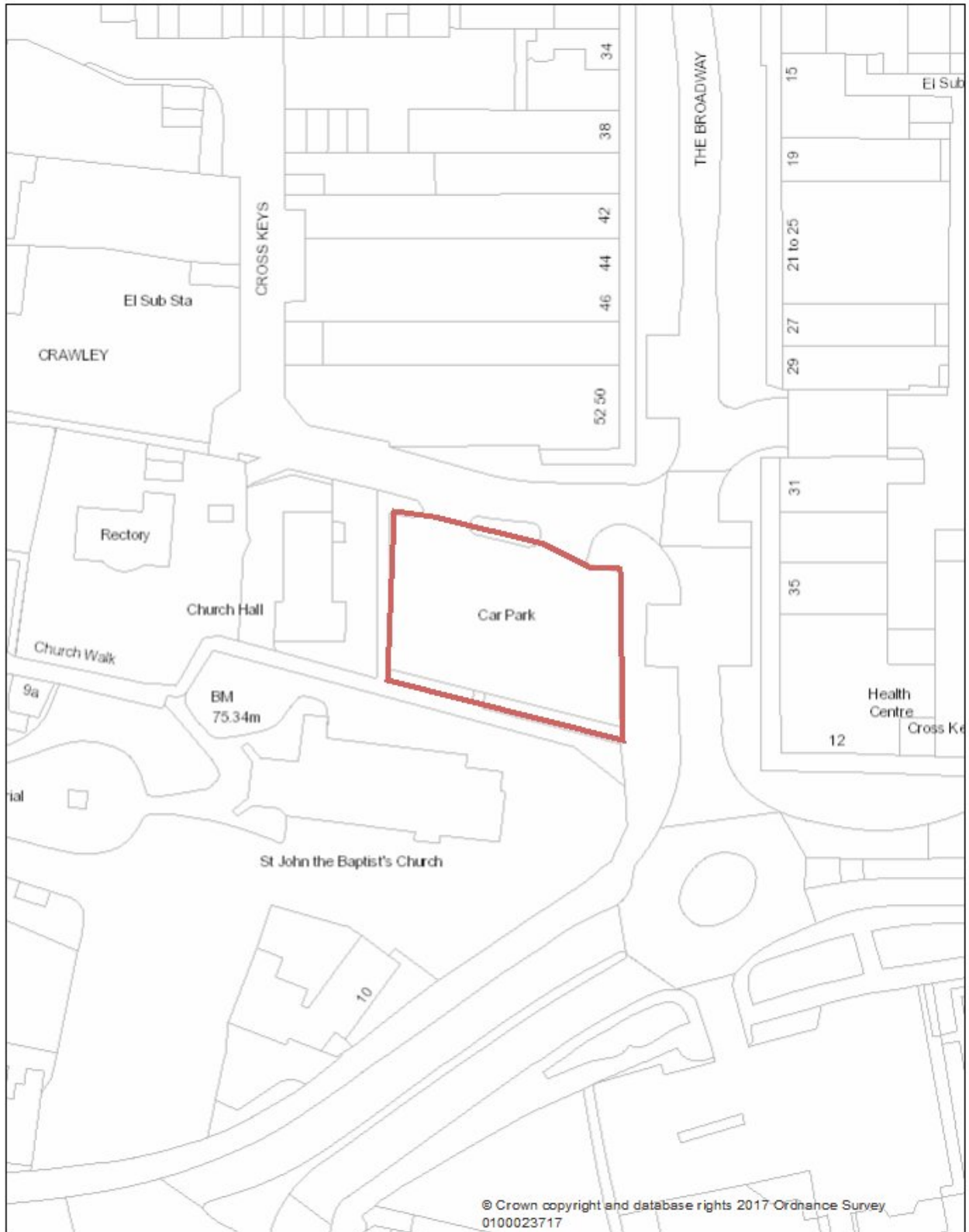


## ArcGIS Web Map



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

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# Agenda Item 8

**CRAWLEY BOROUGH COUNCIL**  
**PLANNING COMMITTEE - 11 February 2019**  
REPORT NO: PES/290(d)

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**REFERENCE NO: CR/2018/0835/ADV**

**LOCATION:** [NCP CROSS KEYS CAR PARK, THE BROADWAY, HIGH STREET NORTHGATE, CRAWLEY](#)  
**WARD:** Northgate  
**PROPOSAL:** ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 12NO. NON-ILLUMINATED POST MOUNTED SIGNS

**TARGET DECISION DATE:** 12 February 2019

**CASE OFFICER:** Ms Z. Brown

**APPLICANTS NAME:** National Car Parks  
**AGENTS NAME:**

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**PLANS & DRAWINGS CONSIDERED:**

P1015/253, Site Location Plan  
P1015/252, Crawley Signage Layout

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

1. Listed Buildings Officer: Objection, the signage would visually detract from the views and vistas approaching the Church from The Broadways and Cross Keys, and would harm the special character of the area and the setting of the Listed Church.

**NEIGHBOUR NOTIFICATIONS:-**

None required.

**RESPONSES RECEIVED:-**

Three objections have been received raising the following matters:

- The car park is next to a Grade II\* Listed Building, and that the car park is out of character and does not enhance the area - (*It should be noted that this is a retrospective application for signage only, and does not relate to the ANPR camera, the use of the site as a car park, the layout of the car park, noise or pollution*)
- The bright yellow signage does not reflect the areas outstanding historic beauty.
- There are too many signs are proposed.
- Concerns regarding the proximity of the site to St John's Church, the oldest building in the town centre.
- The signs would have a negative impact on the setting of the neighbouring Grade II\* Listed St John's Church which dates from 1250 a.d.

# Agenda Item 8

## **REASON FOR REPORTING TO COMMITTEE:-**

The application has been called in by Councillors Guidera, Councillor Jaggard and Councillor Peck.

## **THE APPLICATION SITE:-**

- 1.1 The application site relates to an open car park located on the western side of The Broadway, within the Town Centre. The car park is located to the south of Cross Keys, and to the north of, and adjacent to, St John the Baptist which is a Grade II\* Listed Church. The car park contains 29 spaces and the entrance/exit is on the northern side onto Cross Keys opposite the charity shop. There are yellow bollards around the perimeter of the car park.
- 1.2 There are 12 existing unauthorised panel signs on the site, there are six different styles. They are yellow with black lettering/symbols. These are not the signs being considered in this application.
- 1.3 The car park is also adjacent to the High Street Conservation Area to the south and west. There are no other identified site constraints.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Advertisement consent is sought for 12no. non-illuminated panel signs:
  - Sign A (Style 1) would measure 1.5m wide and 1.5m high, with a depth of 10mm and would be positioned 1.5m above ground level. It would comprise of yellow letters on a black background, the maximum height of any symbols/letters would be 25cm.
  - Sign B (Style 2) would measure 0.6m wide and 1.2m high, with a depth of 10cm. It would be positioned 0.7m above ground level. It would comprise of yellow letters on a black background, the maximum height of any symbols/letters would be 7cm.
  - Sign C (Style 3) would measure 0.45m wide and 1m high, with a depth of 10mm, and would be positioned 0.8m above ground level. It would comprise of yellow letters on a black background, the maximum height of any symbols/letters would be 5cm.
  - Sign D (Style 4) would measure 0.488m wide and 0.488m high, with a depth of 10mm, and would be positioned 0.85m above ground level. It would comprise of yellow letters on a black background, the maximum height of any symbols/letters would be 13cm.
  - Sign E (Style 5) would measure 0.4m wide and 0.6m high, with a depth of 10mm, and would be positioned 2.4m above ground level. It would comprise of yellow letters on a black background, the maximum height of any symbols/letters would be 5cm.
  - Sign F (Style 6) would measure 0.5m wide and 0.75m high, with a depth of 10mm, and would be positioned 2.25m above ground level. It would comprise of yellow letters on a black background, the maximum height of any symbols/letters would be 20cm.
- 2.2 This application does not apply to the current yellow signs with black writing currently on site.

## **PLANNING HISTORY:-**

- 3.1 Enforcement history- The application follows a complaint received by the Council last year. In a letter dated 30<sup>th</sup> August 2018 to NCP, Officers advised the applicants to remove the signs. The applicants have chosen to submit an application for advertisement consent for new signage to replace the existing signs and it is for the Planning Committee to determine the application before it on its planning merits.



# Agenda Item 8

- 3.2 The related application for the ANPR camera is CR/2018/0834/FUL – RETROSPECTIVE PLANNING APPLICATION FOR THE INSTALLATION OF 1NO.POLE MOUNTED AUTOMATIC NUMBER PLATE RECOGNITION (ANPR) CAMERA. This is also to be considered at this meeting.
- 3.3 The use of the land for a car park was permitted in 1975 - CR/52/75 – West Side of Cross Keys, Northgate – CHANGE OF USE FOR PARKING OF MOTOR VEHICLES.
- 3.4 There is one undetermined application which relates to the application site - CR/2018/0079/FUL – DEMOLITION OF THE EXISTING CHURCH HALL FOR THE CONSTRUCTION OF GROUND FLOOR RETAIL/COMMUNITY SPACE/APARTMENTS WITH APARTMENTS ABOVE (TOTAL 34 DWELLINGS)

## **PLANNING POLICY:-**

### 4.1 National Planning Policy Framework (2018)

- Section 12 (Achieving well designed places), paragraph 132 indicates poorly placed advertisements can have a negative impact on the appearance of the built environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority's detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

### 4.2 Crawley Borough Local Plan 2015 – 2030 (adopted December 2015)

- Policy CH3 (Normal Requirements of All Development), proposals must adhere to any relevant supplementary planning guidance produced by the council including advice on signs and advertisements.
- Policy CH12: (Heritage Assets) all development should ensure that Crawley's designated and non-designated heritage assets are treated as a finite resource and that their key features or significance is not lost as a result of development.
- Policy CH15: (Listed Buildings and Structures) states that any changes must preserve the design and character of the Listed Building and have regard to its historic significance.

### 4.3 Urban Design Supplementary Planning Document (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 contains guidelines on the standards the Council expects for the public design and the advertisement and signs. In particular, it state:

- *'Advertising and signs should not impact the visual amenity of the surrounding area and should not pose any danger to highway safety.'*
- *'Outdoor advertising should make a positive contribution to the visual environment and help to create a lively atmosphere. The guidance notes that poorly designed and inappropriately located advertisements can negatively impact the visual environment and lead to clutter and visual confusion.'*
- *'Freestanding signs can provide information, but should be in scale with pedestrians, not surrounding buildings. They should not obstruct the highway and should be user-friendly.'*

# Agenda Item 8

## PLANNING CONSIDERATIONS:-

- 5.1 It has come to Planning Officers attention through representations and comments received during the determination of this application that there are concerns over the conduct of NCP and the issuing of Fixed Parking Notices. The comments received and issues raised above are not matters for Council as the Local Planning Authority to consider, and therefore do not form part of the formal consideration of this application. The issues in relation to this application are:
- The impact on the visual amenity of the area (including the setting of the Listed Building/Conservation Area);
  - The impact on public safety and the highway.

### The impact on the visual amenity of the area (including the setting of the Listed Building/Conservation Area.

- 5.2 The car park is positioned on the western side of The Broadway and provides parking for 29 vehicles. The existing surface carpark is extremely visible in the streetscene of The Broadway given its open character, whereby it offers a break in the built form to the north and a contrast to the curtilage of the Grade II\* Listed Church, St Johns the Baptist which is surrounded by a landscaped graveyard, with mature trees and some hedging along the northern boundary. The boundary of the carpark is demarcated by yellow bollards.
- 5.3 There are 12no. unauthorised existing yellow panel signs, of size different styles, sizes and designs around the car park. These vary in size from 1.5m(h)x 1.5m(w) to 0.48m(h) x 0.48m(w). It is proposed that the existing signs are replaced with black background and yellow text signs of the same sizes/design. The largest panel sign would be positioned at the entrance/exit to the car park, surrounded by two other panel signs, there would be a cluster of signs in the centre of the site around the pay station area, and smaller panel signs on the western, eastern and southern sides.
- 5.4 The number of signs is considered to be excessive. When approaching the car park from north along The Broadway, the entrance to the car park appears overly cluttered, with a proliferation of signage of varying sizes and positioning, this is worsened by the excessive number of signs within the centre of the site which are also in view when approaching from the north. Similarly when approaching the site from the east the unnecessary number of signs also detrimentally impacts the streetscene. Although the choice of colours for the signs whereby they would have a black background and yellow lettering would appear less visually intrusive than the existing bright yellow signs, there appears to be no attempt to create a consistent and coordinated approach to the size/scale and positioning of signage around the car park.
- 5.5 Not only would it detrimentally impact upon the visual amenity of the streetscene of this area of The Broadway, it is also considered to detrimentally impact upon the views and setting of St John's Church, the Grade II\* Listed Building and the High Street Conservation Area. The Listed Buildings Officer has stated that the car park signage visually distracts from the views and vistas approaching the church, and is considered to cause substantial harm to the special character of the area and the setting of the listed church. Although there is some vegetation along the northern boundary of the church yard, there are still some open views to the Grade II\* Listed Building, particularly when approaching from the north along The Broadway. As a result the excessive number of signs in and around the site would be incongruous and would detrimentally impact views of the church.
- 5.6 There is a concurrent application for a pole mounted ANPRA camera, which is considered to be acceptable in its own right (not including the signage), although in association with the proposed signage it would add to the visual clutter in this area. It is the subject of the separate planning application CR/2018/0834/FUL that is also for consideration by this committee.

# Agenda Item 8

- 5.7 Overall the proposed number, siting and size of the signs are considered harmful to the visual amenity of the site, the streetscene and the setting and views of the Listed Building St John's Church/High Street Conservation Area. It is therefore not considered to accord with Policies CH3, CH12 and CH15 of the Crawley Borough Local Plan (2015-2030), the Urban Design SPD (2016) and the NPPF (2018).

## The impact on public safety and the highway

- 5.8 Although the signs would not be illuminated they have been assessed against the West Sussex County Council Illuminated Signs Standing Advice to provide an indication of any likely impact upon safety. The guidance states:

**1. Is any of the proposed signage within the public maintainable highway?**

No

**2. Does the proposed signage exceed recommended maximum luminance levels?**

The freestanding signs are not illuminated.

**3. Is the proposed signage located within a visibility splay?**

The freestanding signs are not located within a visibility splay.

**4. Is the proposed signage likely to cause a distraction to motorists?**

The freestanding signs are not likely to cause a distraction to motorists.

**5. Does the proposed signage overhang the publicly maintainable highway? Is the overhanging signage at least 2.4 metres above the publicly maintainable highway and 500mm from the carriageway edge?**

The signs do not overhang the publicly maintainable highway.

- 5.9 The signs would not therefore be considered to have a harmful impact upon public safety.

## CONCLUSIONS:-

- 6.1 The signs, by virtue of their excessive number, varying sizes and proportions are considered to give a disjointed and cluttered appearance to the car park and its surroundings and to negatively impact on the visual amenity of the site, the streetscene of The Broadway and the setting and views of the Grade II\* Listed Building St John's Church within High Street Conservation Area. It is therefore considered that the proposed advertisements are unacceptable and contrary to the NPPF (2018), Policies CH3, CH12 and CH15 of the Crawley Borough Local Plan and the guidance contained within the Urban Design SPD (2016), it is therefore recommended that the application be refused.

## RECOMMENDATION RE: CR/2018/0835/ADV

REFUSE - For the following reason(s):-

1. The signs, by virtue of their excessive number, varying sizes and proportions are considered to result in a disjointed and cluttered appearance to the site that would negatively impact on the visual amenity of the area, the streetscene of The Broadway and the setting and views of the Grade II\* Listed Building St John's Church/High Street Conservation Area. It is therefore considered that the proposed signs conflict with the NPPF (2018), Policies CH3, CH12 and CH15 of the Crawley Borough Local Plan and the guidance contained within the Urban Design SPD (2016),

# Agenda Item 8

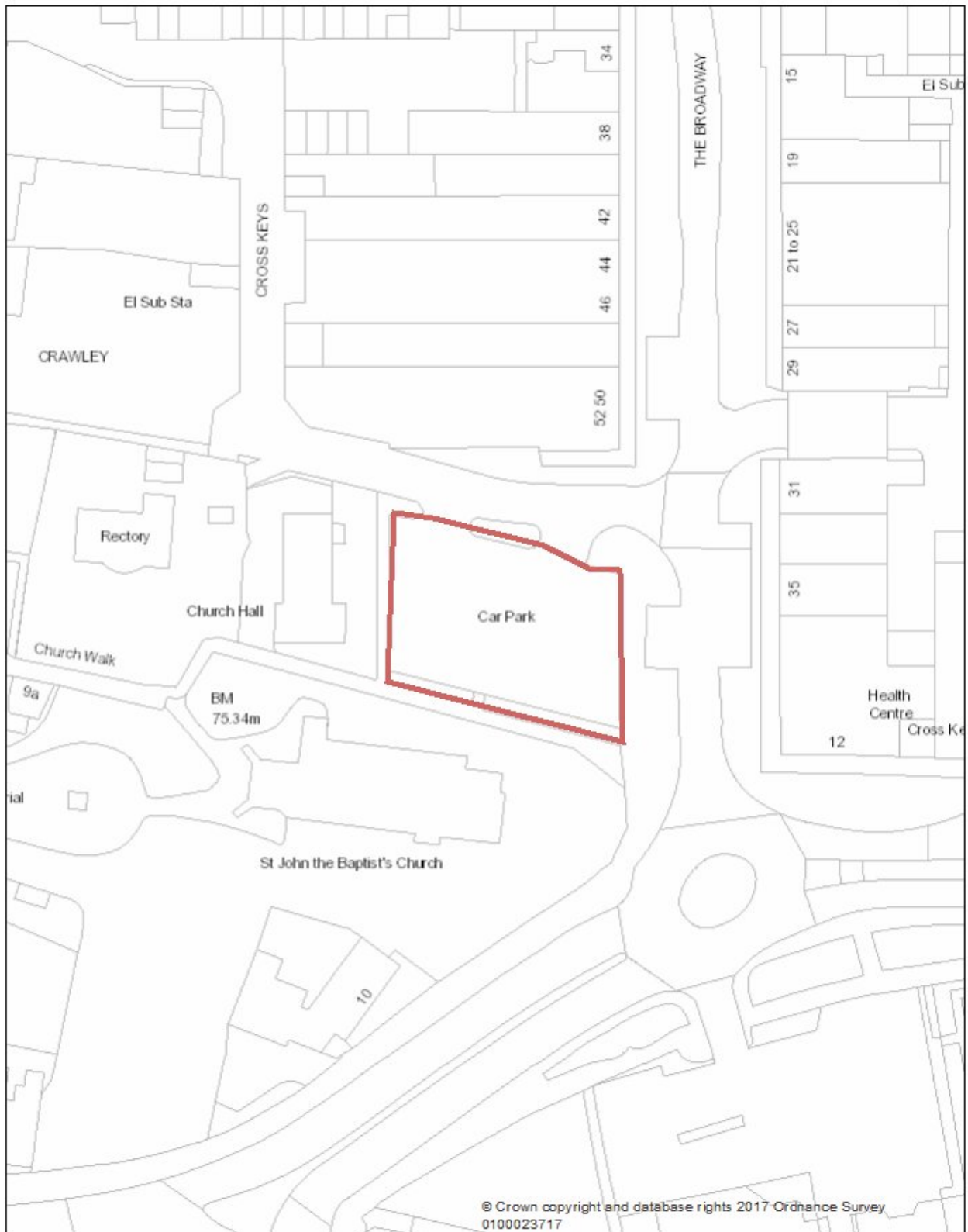


## ArcGIS Web Map



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

1:750



## Crawley Borough Council

### Report to Planning Committee 11 February 2019

#### Objections to the Crawley Borough Council Tree Preservation Order 57, Ardingly Close, Ifield - 14/2018

Report of the Head of Economy and Planning – **PES311**

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#### 1. Purpose

- 1.1 This report presents the Tree Preservation Order 57, Ardingly Close, Ifield - 14/2018. The Committee is requested to consider the objection and determine whether to confirm the Tree Preservation Order with or without modification for continued protection or, not to confirm the Tree Preservation Order.

#### 2. Recommendation

- 2.1 It is recommended that the Committee **CONFIRM** the Tree Preservation Order 57, Ardingly Close, Ifield- 14/2018 without modification.

#### 3. Reasons for the Recommendation

- 3.1 *The tree has good shape and form.*  
*The tree is considered to have good landscape amenity value in the surrounding area.*  
*The tree has been identified as having significant long term potential.*  
*The tree is prominent in the locality and has significant amenity value.*  
*The tree is clearly visible from the public highway.*  
*The tree is visually important in the local area.*  
*The tree has a well balanced crown.*  
*The tree has a full healthy crown.*  
*The tree has significant wildlife value.*

#### 4. Background

- 4.1 The tree the subject of this Order is an English Oak tree located within the rear garden of number 57 Ardingly Close Ifield. The tree is located in the north western corner of the rear garden adjacent to Ifield Avenue. The crown of the tree overhangs 55 Ardingly Close, 12 Binstead Close and the highway. The base of the stem could not be assessed as access to the garden was not possible but the tree appeared to be in good general health and condition at the time of inspection. A photograph of the tree is attached at the end of this report.
- 4.2 The Order was served following receipt of a TPO status enquiry submitted by the owners of no. 57 Ardingly Close stating their intention to undertake pruning works to the tree. When the tree was found not to be protected, a desktop assessment was made followed by a site visit, which determined that the tree was a good example of the species with high amenity. Ardingly Close and the surrounding area is considered suburban however the hard edge of development is softened by the presence of large mature trees many of which are in private ownership, the tree is a large and mature specimen and makes an important contribution to the green amenity of the area. The LPA therefore decided to protect the tree in order to ensure its continued contribution to the green amenity of the area.

# Agenda Item 9

- 4.3 The provisional Tree Preservation Order was made on 21st August 2018 and remains provisionally in force for a period of six months until 21<sup>st</sup> February 2019. If the Order is confirmed, the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

## 5. Notification/ Consultation/Representation

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

### **Owners and occupiers of the land:**

- 57 Ardingly Close, Ifield, Crawley, RH11 0AA.

### **Owners and occupiers of adjoining land affected by the TPO:**

- West Sussex County Council, County Hall, West Street, Chichester, PO19 1RG.
- 12 Binstead Close, Ifield.
- 55 Ardingly Close, Ifield.

- 5.2 The Council is required to consider any objections or representations made within 28 days of the date of the Order. The notification period for objections ended on 25th September 2018. Confirmation of the order is required within six months of the date upon which the Order was provisionally made.
- 5.3 One representation has been received from the owner of 12 Binstead Close objecting to the Tree Preservation Order. The following reasons have been submitted for consideration.

### *Amenity and Safety Issues*

- The tree is in poor condition
- The tree is one sided and is hanging over our roof and has done damage to our roof in the past
- The tree is leaning
- The tree does not have a good shape and form
- The crown of the tree is poor and some branches look unsafe
- There is constant dead wood falling off

## 6. Amenity Value/Assessment and Consideration of the Representations

### *Amenity and Safety Issues*

- 6.1 The tree is a large, mature specimen with extremely fine form. The base of the stem was obscured from view by the boundary fence however the tree appeared to be in good general health with a straight, largely clear stem and crown that was free from major structural defects, the crown was full and healthy with a good branch structure and fine twigging. The tree occupies a prominent position adjacent to Ifield Avenue and is also visible from Ardingly Close above the rooftops, Binstead Close, Climbing Road, Birdham Close, Colgate Close and Coney Close, these views are largely clear and unobstructed. The tree is for the most part unobstructed and has therefore been able to continue to grow without constraint and is likely the reason it has developed into the attractive specimen that it is. For these reasons the tree is considered to be of exceptional merit, contributing considerably to the amenity value of the area.
- 6.2 Although the garden was not accessible and therefore the base of the tree could not be assessed, the tree appeared to be in very good health and condition when viewed from ground level from publicly accessible areas. The crown is full and showed good bud size and the tree did not appear to be under any kind of stress. A large wound was noted at approx. 8-10m resulting from a branch that had clearly torn out many years ago, this is in no way dangerous or inhibitory to the tree's health. The attached photos clearly show the excellent health and condition of the tree and the statement that the tree is in

# Agenda Item 9

poor condition is not therefore considered justified.

- 6.3 The side of the crown extending towards no. 12 Binstead (the objector) has been pruned back in the past in order to allow adequate clearance, this has been comfortably achieved and has still not noticeably unbalanced the crown or caused the tree to be 'one sided', future justifiable applications for clearance pruning would be likely to be considered positively. Again the attached photos show a crown that is clearly well balanced with attractive form.
- 6.4 The tree is not leaning and this can clearly be seen in the attached photos.
- 6.5 The tree has a large, domed canopy with a clear straight stem and is a very fine example of the species. Due to the position of the tree and the space available there is ample room for the tree to continue growing with minimal need for clearance pruning in order to maintain adequate separation from 12 Binstead.
- 6.6 The tree appeared to be in good health with no signs of significant structural defects, there was surprisingly little deadwood present considering the size and age of the tree.
- 6.7 Deadwood can be removed from a protected tree without the need for consent from the Planning Authority.

## 7. Implications

### *Human Rights Act 1998*

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

### *Planning legislation*

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

## 8. Background Papers

- 8.1 Crawley Borough Council Tree Preservation Order 57, Ardingly Close - 14/2018

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

# Agenda Item 9

## SCHEDULE

### SPECIFICATION OF TREES

#### Trees Specified Individually (encircled in black on the map)

Reference on Map	Description	Situation
T1	English Oak	Grid Ref: TQ-25859-37694

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

Reference on Map	Description	Situation
NONE		

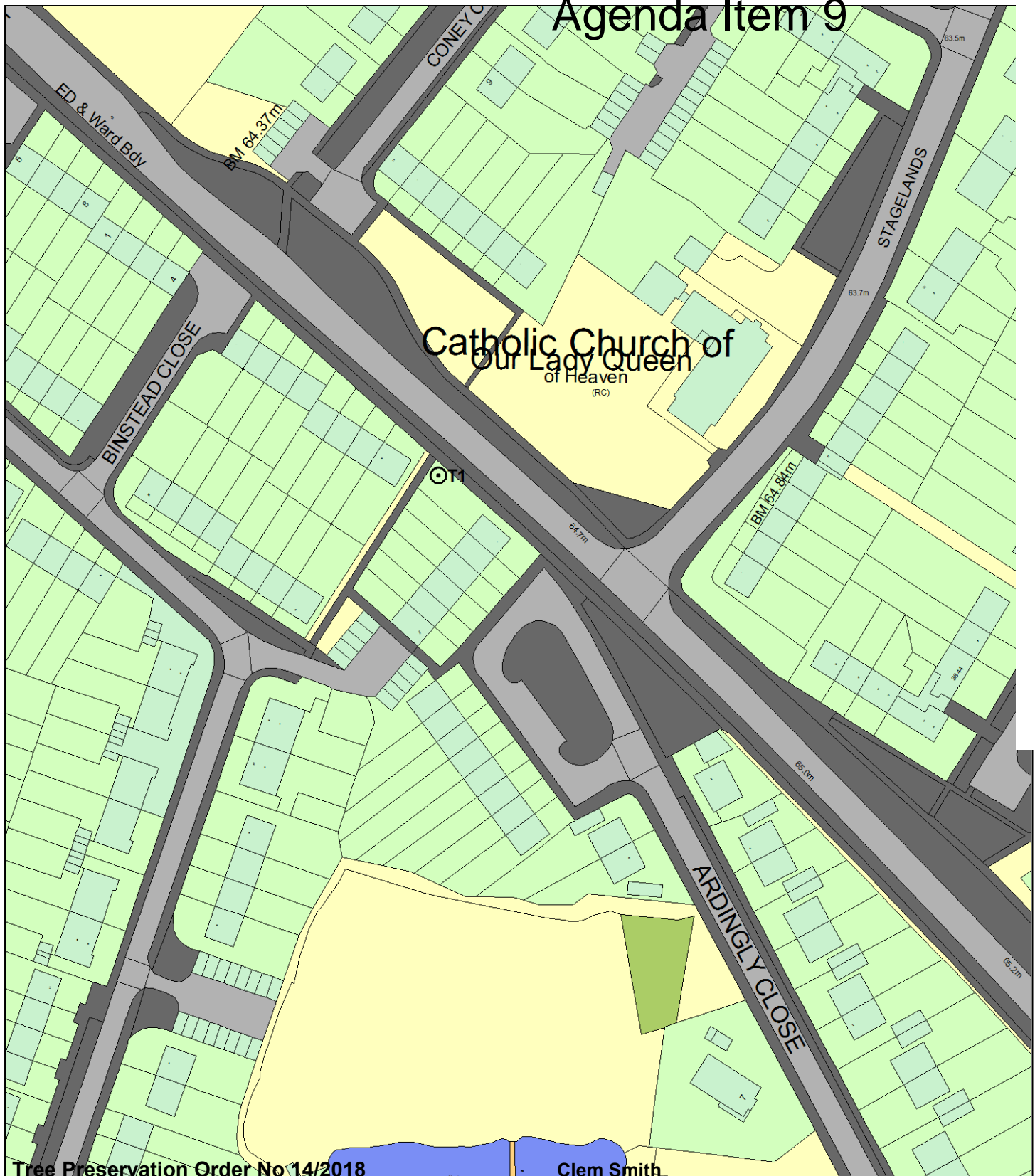
#### Woodlands (within a continuous black line on the map)

Reference on Map	Description	Situation
NONE		

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

Reference on Map	Description	Situation
NONE		





**Tree Preservation Order No 14/2018**  
**57, Ardingly Close**

**Clem Smith**  
**Head of Economy and Planning Services**

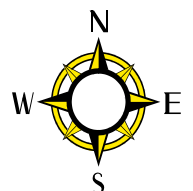
*The scale shown is approximate and should not be used for accurate measurement.*

Scale 1:1250

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Date 17/01/2019

Photo showing T1 from Ifield Avenue/Stagelands junction





*Photo showing T1 from opposite side of Ifield Avenue*





*Photo showing T1 from Ifield Avenue looking south east*





## Crawley Borough Council

### Report to Planning Committee

11<sup>th</sup> February 2019

### Objections to the Crawley Borough Council Tree Preservation Order 44 To 46, Green Lane, Northgate - 15/2018

Report of the Head of Economy and Planning – **PES 312**

---

#### 1. Purpose

- 1.1 This report relates to the Crawley Borough Council, 44 to 46, Green Lane, Northgate - 15/2018 Tree Preservation Order. The Committee is requested to consider the objections and determine whether to confirm the Tree Preservation Order with or without modification for continued protection or, not to confirm the Tree Preservation Order.

#### 2. Recommendation

- 2.1 It is recommended that the Committee **CONFIRM** the Tree Preservation Order, 44 To 46, Green Lane, Northgate - 15/2018 without modification.

#### 3. Reasons for the Recommendation

- 3.1 *The tree(s) have good shape and form.*  
*The tree(s) are considered to have good landscape amenity value in the surrounding area.*  
*The tree(s) have been identified as having significant long term potential.*  
*The tree(s) are prominent in the locality and have significant amenity value.*  
*The tree(s) are clearly visible from the public highway.*  
*The tree(s) are visually important in the local area.*  
*The tree(s) have well balanced crowns.*  
*The tree(s) have full healthy crowns.*  
*The tree(s) have significant wildlife value.*

#### 4. Background

- 4.1 The trees the subject of this Order are 2 no. English Oak trees located within the rear gardens of numbers 44 and 46 Green Lane in Northgate. The trees are located towards the eastern ends of the rear gardens, with T1 within no. 46 and T2 within no.44. The crown of T1 overhangs the rear gardens of no. 48 and no. 50 Green Lane to the north while T2 overhangs the rear gardens of no. 42 Green Lane to the south and no. 10 and no. 8 Bracken Close to the east. The base of the stems could not be assessed as access to the gardens was not possible but the trees appeared to be in good general health and condition at the time of inspection. A photograph of the tree is attached at the end of this report.
- 4.2 The Order was served following receipt of a TPO status enquiry submitted by the owners of no. 46 Green Lane stating their intention to undertake pruning works to the tree in their rear garden. When the tree was found not to be protected, a desktop assessment was made followed by a site visit, which determined that the tree, along with the tree in the rear garden of 44 Green Lane were both good examples of the species with high amenity. Green Lane and surrounding area is considered suburban, the trees are large and mature specimens and make an important contribution to the green

# Agenda Item 10

amenity. The LPA therefore decided to protect the trees in order to ensure their continued contribution to green amenity of the area.

- 4.3 The provisional Tree Preservation Order was made on 21st August 2018 and remains provisionally in force for a period of six months until 21<sup>st</sup> February 2019. If the Order is confirmed, the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

## 5. Notification/ Consultation/Representation

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

### **Owners and occupiers of the land:**

- 46 Green Lane, Northgate, Crawley, RH10 8JP
- 44 Green Lane, Northgate, Crawley, RH10 8JP

### **Owners and occupiers of adjoining land affected by the TPO:**

- 42 Green Lane, Northgate, Crawley RH10 8JP
- 48 Green Lane, Northgate, Crawley RH10 8JP
- 50 Green Lane, Northgate, Crawley RH10 8JP
- 10 Bracken Close, Northgate, Crawley RH10 8JR
- 8 Bracken Close, Northgate, Crawley RH10 8JR
- 6 Bracken Close, Northgate, Crawley RH10 8JR

- 5.2 The Council is required to consider any objections or representations made within 28 days of the date of the Order. The notification period for objections ended on 25th September 2018. Confirmation of the order is required within six months of the date upon which the Order was provisionally made.
- 5.3 Two representations have been received from the owners of 48 Green Lane and 50 Green Lane objecting to the Tree Preservation Order as it relates to T1. The following reasons have been submitted for consideration.

### *Neighbour Amenity and Safety Issues*

- The tree is too large for the size of the property it is in
- It's never been maintained despite asking the owners several times to have it trimmed, which is why we suspect they've asked for the order, to save the cost of maintaining it
- The tree overhangs our property
- It severely cuts out the light from our [no. 50's] garden
- Leaves, twigs, branches and germinating acorns cause a mess in the gardens [of no. 50 & no.48]
- One of the overhanging branches may come down and injure the grandchildren
- A tree of this size is extremely dangerous in such a built up area

### *Other*

- The tree is causing damage to the 4 shed roofs in the garden of 48 Green Lane

## 6. Amenity Value/Assessment and Consideration of the Representations

### Amenity Value/Assessment

- 6.1 The trees are large, mature specimens with good form. The trees were assessed from the highway of Green Lane and Bracken Close and while access to the trees for a more thorough inspection was not possible, from the road, both trees appeared to be in good general health with full, roughly symmetrical crowns. The trees are positioned at the bottom of the rear gardens and as such can be

# Agenda Item 10

seen clearly between the houses of Green Lane to the west, the portion of Green Lane to the north and between and above the rooftops of Bracken Close to the east. They form an important break between, and backdrop to development in the area. The rear gardens of Green Lane are large which has allowed the trees to develop full, balanced crowns with little need for containment pruning. Due to the size of the trees and the contribution they make to the character of the area, they are considered to be of high amenity value and therefore worthy of protection.

## Consideration of the Representations

- 6.2 The rear gardens of nos. 46, 48 and 50 Green Lane are all in excess of 40m long, the distance from the edge of the crown to no. 46 is 25m, no. 48 is 31m and no. 50 is 33m, this is considered adequate separation from the dwellings and allows more than enough space for the T1 to reach its full potential.
- 6.3 This order was not served in response to a request from the owners (see para. 4.2). Regardless of whether there is a TPO on the trees or not, the tree owners would not be absolved of their obligation to maintain their trees in a safe condition and to prevent them from causing a legal nuisance, with maintenance works to protected trees still being able to be carried out having acquired the necessary consent from the Local Planning Authority.
- 6.4 Neighbours have the right to cut back overhanging branches from trees on adjacent land without the tree owners consent, in the case of a protected tree, the neighbour must first obtain consent from the Local Planning Authority however, if the works are reasonable and proportionate it is unlikely such an application would be refused.
- 6.5 Tree owners are under no obligation to prune or remove trees which are overshadowing the gardens of adjacent properties. Many trees by their very nature cause shade and this is not considered a reason to disqualify a tree from TPO protection. In this particular case the trees are situated 31-33m from the rear elevations/windows etc. of the dwellings that are situated to the west of the tree and the impact in terms of overshadowing the houses/gardens as a whole will experience is therefore limited.
- 6.6 Leaves, twigs and acorns falling into gardens etc. are considered a seasonal nuisance only and does not place responsibility on the owner of the tree as this is a normal part of a tree's life cycle, it is not considered to be an adequate reason to disqualify a tree from TPO protection.
- 6.7 Whether a tree is protected or not, tree owners have a responsibility to maintain their trees in a safe condition and avoid causing harm to others as far as is reasonably practical. The imposition of a TPO does not prescribe works to be carried out to trees and works submitted by way of an application that are considered reasonable and justified by the Planning Authority will be likely to be granted consent. Furthermore, any works that are considered urgent for safety reasons can be carried out once the Planning Authority have been informed of the need for the works via a 5 day notice.
- 6.8 It is considered that the trees are not especially large and are in proportion with their surroundings.
- 6.9 No evidence has been submitted to support the claim that the tree is causing damage to the garden sheds within 48 Green Lane. If the tree is indeed causing damage, the evidence should be submitted as part of any subsequent application for remedial works. This will be duly considered and a decision as to whether the works are justified or not will be made.

## 7. Implications

### *Human Rights Act 1998*

- 7.1 The referral of this matter to the Planning Committee is in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. Those persons who made representations in objection to the TPO are entitled to attend the Planning Committee meeting and to make any further verbal representations at the meeting. The Planning Committee must give full consideration to any such representations.

# Agenda Item 10

- 7.2 Article 8 and Article 1 of the First Protocol – the right to respect for private/family life and the protection of property – also needs to be considered. These are qualified rights and can only be interfered with in accordance with the law and if necessary to control the use of property in accordance with the law and if necessary to control the use of property in accordance with the general interest. The recommended continued protection of these trees by confirming the TPO is considered to be in the general interest of the community and is considered to be both proportionate and justified.

## *Planning legislation*

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

## **8. Background Papers**

- 8.1 The Crawley Borough Council Tree Preservation Order 44 To 46, Green Lane, Northgate - 15/2018

Contact Officer: Russell Spurrell

Direct Line: 01293 438033

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



# Agenda Item 10

## SCHEDULE

### SPECIFICATION OF TREES

#### Trees Specified Individually (encircled in black on the map)

Reference on Map	Description	Situation
T1	English Oak	Grid Ref: TQ-27456-37764
T2	English Oak	Grid Ref: TQ-27457-37754

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

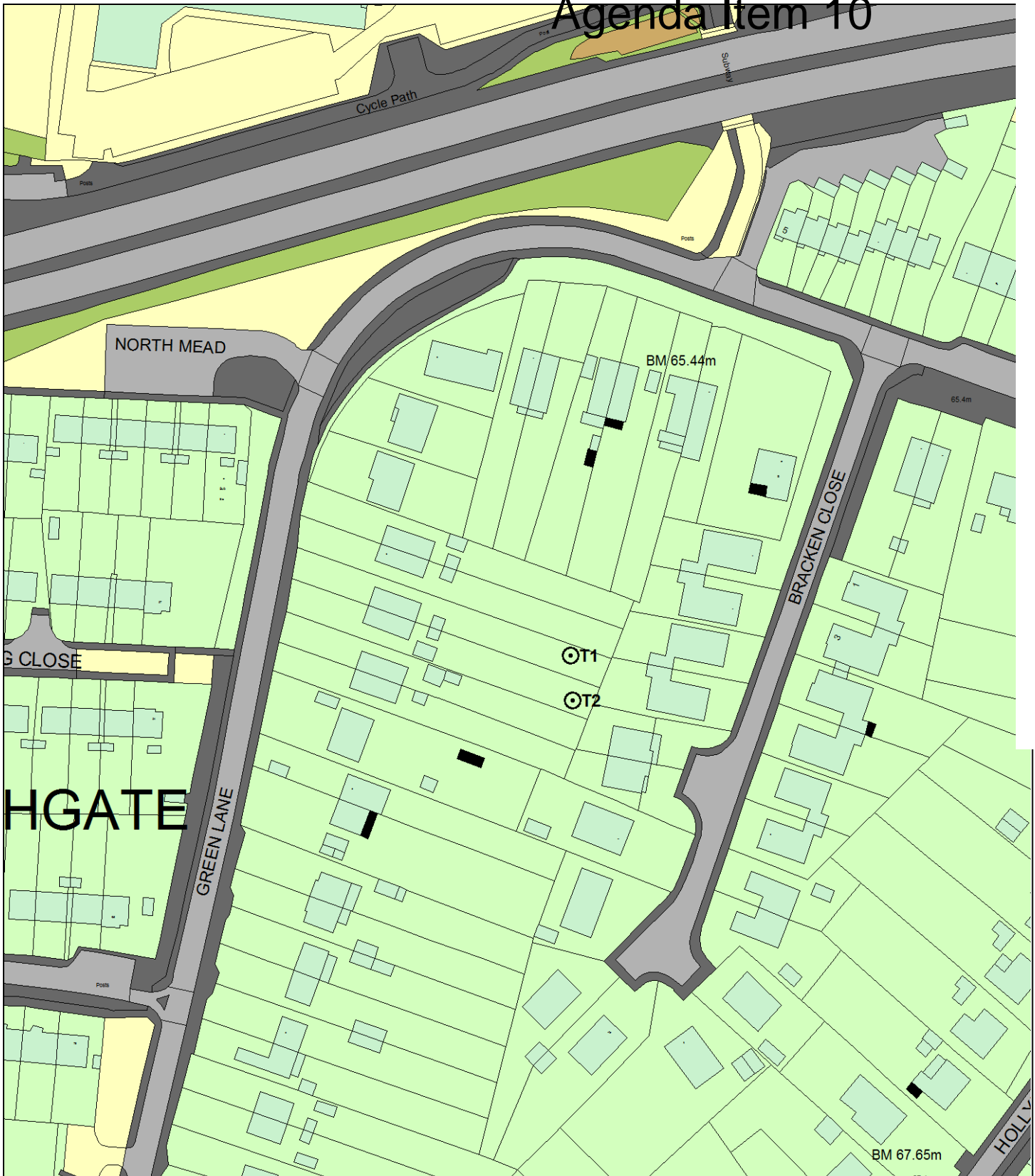
Reference on Map	Description	Situation
NONE		

#### Woodlands (within a continuous black line on the map)

Reference on Map	Description	Situation
NONE		

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

Reference on Map	Description	Situation
NONE		



**Tree Preservation Order No 15/2018**  
**44 To 46, Green Lane, Northgate**

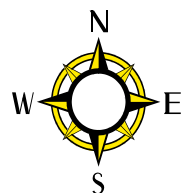
**Clem Smith**  
**Head of Economy and Planning Services**



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

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Scale	1:1250
Date	21/01/2019



# Agenda Item 10

*Photo showing T1 & T2 viewed from Green Lane*



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