

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room A & B - Town Hall**, on **Monday, 4 December 2017** at **7.30 pm**

Nightline Telephone No. 07881 500 227



Head of Legal and Democratic Services

Membership:
Councillors

I T Irvine (Chair), C Portal Castro (Vice-Chair), N J Boxall,
B J Burgess, D Crow, R S Fiveash, F Guidera, K L Jaggard,
S J Joyce, T Rana, A C Skudder, P C Smith, M A Stone, J Tarrant
and G Thomas

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Published 24 November 2017

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

Part A Business (Open to the Public)

	Pages
1. Apologies for Absence	
2. Disclosures of Interest	
In accordance with the Council's Code of Conduct, Councillors of the Council are reminded that it is a requirement to declare interests where appropriate.	
3. Lobbying Declarations	
The Planning Code of Conduct requires Councillors who have been lobbied, received correspondence or been approached by an interested party with respect to any planning matter should declare this at the meeting which discusses the matter. Councillors should declare if they have been lobbied at this point in the agenda.	
4. Minutes	5 - 12
To approve as a correct record the minutes of the Planning Committee held on 7 November 2017	
5. Planning Application CR/2016/0962/ARM - Phase 3B, Forge Wood (NES), Crawley	13 - 32
Pound Hill North	
To consider report PES/242 (a) of the Head of Economic and Environmental Services.	
RECOMMENDATION to APPROVE.	
6. Planning Application CR/2017/0596/FUL - Northwest House, 23 Gatwick Road, Northgate, Crawley	33 - 44
Northgate	
To consider report PES/242 (b) of the	

			Pages
	Head of Economic and Environmental Services.		
	RECOMMENDATION to PERMIT		
7.	Planning Application CR/2017/0762/RG3 - Haslett Avenue East and Land Adjacent County Mall, Crawley	Northgate	45 - 54
	To consider report PES/242 (c) of the Head of Economic and Environmental Services.		
	RECOMMENDATION to PERMIT.		
8.	Planning Application CR/2017/0765/RG3 - Manor Royal (West of Crawters Brook), Northgate, Crawley	Northgate	55 - 62
	To consider report PES/242 (d) of the Head of Economic and Environmental Services.		
	RECOMMENDATION to PERMIT.		
9.	Planning Application CR/2017/0813/FUL - Milton Mount, Milton Mount Avenue, Pound Hill, Crawley	Pound Hill North	63 - 68
	To consider report PES/242 (e) of the Head of Economic and Environmental Services.		
	RECOMMENDATION to PERMIT.		
10.	Planning Application CR/2017/0866/RG3 - Tilgate Nature Centre, Tilgate Park, Tilgate Drive, Crawley	Tilgate	69 - 76
	To consider report PES/242 (f) of the Head of Economic and Environmental Services.		
	RECOMMENDATION to PERMIT.		

		Pages
11.	Objections to the Crawley Borough Council Tree Preservation Order Midhurst Close, Ifield No. 1 - 10/2017 To consider report PES/263 of the Head of Economic and Environmental Services.	Ifield 77 - 82
12.	Supplemental Agenda Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.	

With reference to planning applications, PLEASE NOTE:

Background Paper:- Crawley Borough Local Plan 2015-2030

Any necessary pre-committee site visits for applications to be considered at this meeting will be held on **Thursday 30 November 2017 at 10.00am**. Please be aware that members of the public are not to approach members of the Committee or Council officers to discuss issues associated with the respective planning applications on these visits.

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Agenda Item 4

Planning Committee (46)
7 November 2017

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 7 November 2017 at 7.30 pm

Councillors Present:

I T Irvine (Chair)

C Portal Castro (Vice-Chair)

N J Boxall, B J Burgess, D Crow, R S Fiveash, F Guidera, K L Jaggard, S J Joyce, T Rana, A C Skudder, P C Smith, M A Stone, J Tarrant and G Thomas

Officers Present:

Roger Brownings	Democratic Services Officer
Kevin Carr	Legal Services Manager
Jean McPherson	Group Manager (Development Management)
Daniel Power	Planning Officer

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Boxall	CR/2017/0483/FUL - Land Adjacent to Dobbins Place, Ifield, Crawley (Minute 5)	Personal and Prejudicial Interest – a close relative owned a nearby property in Poynings Road. Councillor Boxall left the meeting before consideration of this application and took no part in the discussion or voting on the item.
Councillor B J Burgess	CR/2016/0955/FUL 27 Forge Road, Three Bridges, Crawley (Minute 4)	Councillor Burgess with the permission of the Chair addressed the Committee as a Ward Member and then to avoid any perception of bias or predetermination left the meeting before consideration of this application and took no part in the discussion or voting on the item.
Councillor P C Smith	CR//2017/0589/FUL 2-14 Crompton Way, Northgate, Crawley (Minute 7)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District

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Councillor
Stone

CR/2017/0483/FUL - Land
Adjacent to Dobbins Place,
Ifield, Crawley
(Minute 5)

Councillor Stone with the permission of the Chair addressed the Committee as a Ward Member and then to avoid any perception of bias or predetermination left the meeting before consideration of this application and took no part in the discussion or voting on the item.

2. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors Boxall, Irvine, Joyce, Skudder, P C Smith and Thomas had been lobbied regarding application CR/2016/0955/FUL.

Councillors Guidera, P C Smith, Stone, Tarrant and Thomas had been lobbied regarding application CR/2017/0483/FUL.

3. Minutes

The minutes of the meeting of the Committee held on 9 October 2017 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2016/0955/FUL - 27 Forge Road, Three Bridges, Crawley

The Committee considered report PES/241 (a) of the Head of Economic and Environmental Services which proposed as follows:

Change of use of amenity land to private garden and the erection of single storey side and rear extensions. (Amended description).

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

The Planning Officer provided a verbal summation of the application and provided the following update:-

- Additional representations had been received from the Applicant, objecting to the suggested conditions. In addition an objection had been received relating to the potential impact the development could have on the nearby trees. To this end, to ensure the protection of the roots of those trees Condition 6 had been updated, as set below:
 6. *Within 3 months of the date of this permission and prior to works to implement the hardstanding, the area of land immediately to the east of the extension in the ownership of the applicant, shall have all loose rubble removed from the excavated area and this shall be replaced with topsoil. Prior to re-filling the excavated area with topsoil the applicant shall have contacted the Local Planning Authority and shall*

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have arranged for an officer to attend the site to confirm the works are acceptable and all rubble has been adequately removed.
REASON: To ensure the works are undertaken to an acceptable standard to protect the roots of the adjacent trees in accordance with policy CH3 of the Crawley Borough Local Plan.

Mr John Cooban, on behalf of the Three Bridges Forum, and Councillor B J Burgess, who spoke from the public gallery as Ward Member, addressed the Committee in objection to the application, whilst Mr Mohamid Amir, the brother of the Applicant, spoke in support. Many of the concerns raised reflected those detailed in the report, including, in particular those on the grounds referred to earlier: that the development would have a harmful impact on the nearby trees. Concerns had also been raised relating to the strip of land which had been bought by the Applicant and which formed part of this application for its change of use.

The Committee then considered the application. The Committee discussed the issues arising, including the comments made by the speakers and the concerns raised by objectors.

In response to issues and concerns raised, the Planning Officer:

- Confirmed that the conditions imposed on the previous change of use (as part of CR/2016/0225/FUL) were not complied with prior to the commencement of development and that therefore the application now before the Committee was in part retrospective and sought to regularise the existing works whilst proposing amendments to the existing approval.
- Emphasised that whilst comments had been received objecting to the sale of the Council land to the Applicant, this was not a material planning consideration and did not form part of the consideration of this application.
- Explained that the tiles on the main roof of the dwelling had recently been cleaned and were therefore different to tiles on the as built extension but extensions are normally required to have matching materials.
- Confirmed that the application does not propose any boundary fence as it is understood this is to be agreed with the applicant and the Council as adjoining land owner.
- Explained that Condition 6, as amended, was intended to ensure that any loose rubble was to be removed from the excavated area adjacent to the side extension and that this was to be replaced with topsoil (as this area is within the tree root protection area) and block paving to the remainder of the area.
- Confirmed that the current application was proposing to surface the hardstanding parking area with permeable paving which would allow the tree roots to recover.
- Indicated that the Council's Tree Officer considered that given the materials proposed and the size of the area, the proposal would not have a harmful impact upon the trees on the adjoining land.
- Advised that having regard to the works already carried out in breach of a previous planning condition, it was considered reasonable to impose a condition for an officer to attend the site to confirm the works had been carried out in accordance with the condition.

Whilst being assured that the proposals would not have a harmful impact upon the nearby trees, Members generally felt that the proposed change of use would not result in an unacceptable loss of visual public amenity and would not be detrimental to the character of the area.

RESOLVED

Permit, subject to the conditions set out in report PES/241 (a) and the updated Condition 6 above.

5. **Planning Application CR/2017/0483/FUL - Land Adjacent to Dobbins Place, Ifield, Crawley**

The Committee considered report PES/ 241 (b) of the Head of Economic and Environmental Services which proposed as follows:

Erection of 4 two bedroom houses and 2 two bedroom flats (amended plans received).

Councillors Boxall, B J Burgess, Guidera, Jaggard, Portal Castro, Skudder, Stone, Tarrant and Thomas declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and the following updates:-

Condition 4 – Correction / clarification

- north east should read 'north west'.
- word 'building' should read 'flats'.

Delete Conditions 5 and 7 as set out in the report and replace as below:

Condition 5

The development hereby permitted shall be set out and implemented strictly in accordance with the finished floor levels shown on drawing 4982 DE 02 Rev F – Site plan and drawing 4982 DE 17 Rev B – Site Section A-A and the surrounding land levels for the gardens and hard surfaces shall remain as specified on the drawings.
REASON: as per original condition.

Condition 7

The development hereby permitted shall be constructed and managed in accordance with the Construction Environment Management Plan (CEMP) reference 2946 Revision 1, dated August 2017 unless otherwise agreed in writing by the Local Planning Authority.
REASON – as per original condition.

Condition 11 - Amendment

At the end of the first sentence, insert words to read 'hard and soft' landscaping scheme.

Councillor Stone, who spoke from the public gallery as Ward Member, addressed the Committee objecting to the application, whilst Ms Katie Lamb, Planning Consultant, addressed the Committee in support. Many of the concerns raised by Councillor Stone reflected those detailed in the report, including in particular, those made on the grounds that the development was out of character with the surrounding area, would have a harmful impact on the local highway, and noise emanating from traffic.

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

- Explained that in terms of the proposed dark grey colour of materials used for some of the development's external walls, there was still scope within the conditions to consider the use of lighter materials and finishes, which Officers will note and do.
- Explained that whilst the development was within an area of Structural Landscaping, the visual contribution of this site to the wider area was considered limited due to it previously being developed. The loss of this area was not considered to harm the remaining structural landscaping area, and that the development in terms of its layout would protect and enhance the remaining area of structural landscaping.
- Explained that in terms of concerns raised on impacts on the proposed dwellings from the nearby Tesco Express Store, the Council's Environmental Health department were consulted on the application and had no objections. It was not considered that the activity of the store would have an unacceptable impact on the amenity of future occupiers, and no complaints had been received from the occupiers of the two existing residential flats above the store or other nearby properties.
- Indicated that the distance from the Tesco Store to Poynings Road dwellings was approximately the same as to the proposed new properties.
- Referred to the fact that rivers and water features were common place within the Crawley area. There were no reasons to secure additional measures via planning condition given the proximity of the nearby pond, as with all such water features children would need to be supervised.
- Confirmed that no issues had been raised by the Council's Environmental Health Department with regard to air pollution.
- Indicated that the application had been submitted with a Transport Statement and a Road Safety Audit. WSCC as the Highways Authority had commented that the existing access arrangements to the site would accommodate the anticipated level of vehicular activity. They had no objections to the proposed development, subject to conditions.
- Confirmed that the development complied with parking standards, and there were not considered to be any detrimental highway impacts.
- Explained that given the distance and orientation of the proposed dwellings, the scale and design of the proposal, and proposed window positions, it was not considered that the proposal on balance, would have an overbearing impact or harm amenities to the occupiers in Poynings Road.
- Confirmed that all the proposed units would be affordable housing.

RESOLVED

Permit, subject to:

- (i) The conclusion of a S106 Agreement to secure affordable housing and the tree mitigation contribution, as outlined in paragraphs 5.23 to 5.25 of report PES/ 241 (b).
- (ii) The conditions set out in report PES/ 241 (b), and the updated conditions above.

At this point Councillor Rana left the meeting and did not return.

6. **Planning Application CR/2017/0543/FUL - 1 Woodlands, Pound Hill, Crawley**

The Committee considered report PES/241 (c) of the Head of Economic and Environmental Services which proposed as follows:

Erection of a part single part 2 storey rear extension, erection of a pitch roof on garage and conversion to habitable accommodation and changes to external materials on front facade and roofing (amended description and plans received).

Councillors B J Burgess, Jaggard, Portal Castro, P C Smith and Tarrant declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and the following update:-

An amended plan had been received which removed reference to the proposed slate tiled roof and stated that the roof would now be a pantile. This would then match the colour and texture of the existing roof tiles and be more appropriate to the surrounding area.

Mr Michael Smith addressed the Committee in objection to the application. A number of the concerns raised were on the grounds of those detailed in the report, including, in particular, the inconsistency of external materials and finishes with the character of the surrounding area, loss of privacy and parking.

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

- Confirmed the report's conclusion that the external materials comprising facing brick to match the existing, timber cladding, a matching roof tile and dark grey aluminium window frames, would have an acceptable visual impact on the street-scene.
- Explained that there was construction activity currently taking place on the site to convert the garage to habitable accommodation under the provisions of the Town and Country Planning General Permitted Development Order (England) 2015, although the proposed plans indicated that this was a part of this planning application.
- Confirmed that the site also had an attached side garage built along the southern side boundary of the site.

RESOLVED

Permit, subject to the conditions set out in report PES/241 (c).

7. **Planning Application CR/2017/0589/FUL - 2 - 14 Crompton Way, Northgate, Crawley**

The Committee considered report PES/241 (d) of the Head of Economic and Environmental Services which proposed as follows:

Erection of a building comprising two units for B8 (storage or distribution) and ancillary office floorspace, with associated car parking, landscaping, servicing and access arrangements (amended description).

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Councillor Boxall declared he had visited the site.

The Planning Officer provided a verbal summation of the application and the following update:-

Comments had been received from the Ecology Officer to advise that he had no objections to the application, and requested no further conditions.

The Committee then considered the application. In response to an issue raised, the Planning Officer confirmed that the roof of the proposed premises would be fitted with PV Panels, as shown on the Proposed Roof Plan.

RESOLVED

Permit, subject to:

- (i) A S106 Agreement to secure a Manor Royal contribution.
- (ii) The conditions set out in report PES/241 (d)

8. Supplemental Agenda

At the Chair's request, an Information item on the Consultation with Surrounding Local Authorities as part of the planning process was to be considered as a supplemental agenda item, as the matter had arisen subsequent to the agenda being published.

9. Consultation with Surrounding Local Authorities (Information Item)

The Committee considered report PES/241 (z) which was introduced by the Chair of the Committee.

The Chair advised that following recent Member enquiries, he felt it would be useful for this information item to be brought to the Committee to further highlight how the process of consultation with surrounding local authorities as part of the planning process occurred.

The Committee discussed matters arising from the report, and in response to issues raised, the Group Manager (Development Management):

- Emphasised that some specific arrangements had been established to assist neighbouring authorities who wished to speak or be consulted on an application arising from this Authority for example on Gatwick. Those arrangements, as previously published, were included in the report.
- Explained that the matters of deciding which authorities should be consulted and how authorities should consult with each other, were set out in a nationally prescribed document (The Town and Country Planning (Development Management Procedure) (England) Order 2015).

Members continued to discuss the information provided, whilst indicating that the information had been very useful, and the Group Manager confirmed that she would be happy to answer any further questions which may arise following this meeting.

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RESOLVED

That the report be noted.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.13 pm

I T IRVINE
Chair

Agenda Item 5

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 4 December 2017
REPORT NO: PES/242(a)

REFERENCE NO: CR/2016/0962/ARM

LOCATION: PHASE 3B, FORGE WOOD (NES), CRAWLEY
WARD: Pound Hill North
PROPOSAL: APPROVAL OF RESERVED MATTERS FOR PHASE 3B FOR 151 DWELLINGS AND ASSOCIATED WORKS PURSUANT TO CR/2015/0552/NCC FOR A MIXED USE NEIGHBOURHOOD (AMENDED DESCRIPTION AND AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 23 February 2017

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Persimmon Homes & Wimpey Taylor

AGENTS NAME: Pegasus Group

PLANS & DRAWINGS CONSIDERED:

P.1165 04 Garages
P.1165_06 Rev i Garden Sizes
P.1165 09 Rev C Affordable Housing Plan
P.1165 10 Rev B Refuse Strategy Plan
P.1165 11 Rev B Character Areas
P.1165 12 Rev A Indicative Street Scenes
P.1165 14 Enclosure Details
P.1165 16 Sheet 01 Architectural Details - Tile Hanging
P.1165 16 Sheet 02 Architectural Details - Brick Corbelling
P.1165 16 Sheet 03 Architectural Details - Canopies
P.1165 16 Sheet 04 Architectural Details - Window Styles
P.1165 16 Sheet 05 Architectural Details - Creasing Tile Feature
P.1165 16 Sheet 06 Architectural Details - Brick Coursing
P.1165 16 Sheet 07 Architectural Details - Stone Coursing
P.1165 16 Sheet 08 Architectural Details - Window Headers
P.1165 16 Sheet 09 Architectural Details - Window Cills
P.1165 16 Sheet 10 Architectural Details - Chimneys
P.1165 16 Sheet 11 Architectural Details - Window Styles
P.1165 16 Sheet 12 Architectural Details - Juliette Balcony
P.1165 16 Sheet 13 Architectural Details - Window Styles
P.1165 16 Sheet 14 Architectural Details - Weatherboarding Details
P.1165 02 01 Rev D Hanbury (Neighbourhood Housing) Elevations & Floor Plans
P.1165 02 03 Rev C Souter (Main Street) Elevations & Floor Plans
P.1165 02 04 Rev C Souter (Neighbourhood Housing) Elevations & Floor Plans
P.1165 02 05 Rev C Leicester (Main Street) Elevations & Floor Plans
P.1165 02 06 Rev B Downing (Woodland Glade) Elevations & Floor Plans
P.1165 02 07 Rev B Mayfair (Woodland Glade) Elevations & Floor Plans
P.1165 02 08 Rev B Corfe (Main Street) Elevations & Floor Plans
P.1165 02 09 Rev B Corfe (Neighbourhood Housing) Elevations & Floor Plans
P.1165 02 10 Rev C Harley (Woodland Glade) Elevations & Floor Plans
P.1165 02 11 Regent (Main Street) Elevations & Floor Plans
P.1165 02 12 Rev C Regent (Woodland Glade) Elevations & Floor Plans
P.1165 02 13 Rev C Newton (Main Street) Elevations & Floor Plans
P.1165 02 14 Rev C Oxford (Woodland Glade) Elevations
P.1165 02 15 Rev C Oxford (Woodland Glade) Floor Plans

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P.1165 02 16 Rev C WP2420A (Neighbourhood Housing) Elevations & Floor Plans
P.1165 02 17 3B5P Terrace (Neighbourhood Housing) Elevations & Floor Plans
P.1165 02 18 3B5P Rev C Semi Detached (Neighbourhood Housing) Elevations & Floor Plans
P.1165 03 04 Apartment Rev F (V2) Elevations & Floor Plans
P.1165 03 05 Rev F Apartment B (V3) Elevations & Floor Plans
P.1165 03 06 Rev F Apartment B (V4) Elevations & Floor Plans
P.1165 03 07 Rev F Apartment C Elevations & Floor Plans
CSA/667_245 Rev L Phase 3B Hard Landscape Proposals sheet 1 of 3
CSA/667_247 Rev L Phase 3B Hard Landscape Proposals sheet 3 of 3
P804/20 Cellular Storage Tank Detail
P804/113 Construction Details
P804 114 Rev E Phase 3B Levels Plan
T.0347_17 Sheet 15 Rev I Architectural Details - Bay Window
P.1165 02 11 Rev C Regent (Main Street) Elevations & Floor Plans
P.1165 02 12 Rev C Regent (Woodland Glade) Elevations & Floor Plans
P.1165 02 14 Rev C Oxford (Woodland Glade) Elevations
P.1165 02 10 Rev C Harley (Woodland Glade) Elevations & Floor Plans
P.1165 03 03 Rev C Apartment B (V1) Elevations & Floor Plans
P.1165 03 06 Rev C Apartment B (V4) Elevations & Floor Plans
P.1165 03 01 Rev C Apartment A Elevations
P.1165 03 02 Rev C Apartment A Floor Plans
P.1165 03 07 Rev D Apartment C Elevations & Floor Plans
P.1165_01N Phase 3B Site Layout
P.1165 02 04 Rev C Souter (Neighbourhood Housing) Elevations & Floor Plans
7827/Phase 3B/02 Rev G Tree Protection Plan
P804/08, Phase 3, Drainage Levels and Contours, Sheet 1 of 5
P804/11, Phase 3 Drainage, Levels and Contours, Sheet 4 of 5
P804/12, Phase 3 Drainage, Levels and Contours, Sheet 5 of 5
T255/20, Phase 3, Drainage Plan
P1165_02, Sheet No 19 Clayton(s) Neighbourhood Housing

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|--------------------------------------|--|
| 1. | GAL - Planning Department | No objections |
| 2. | GAL - Aerodrome Safeguarding | No objections, subject to cranes informative |
| 3. | Environment Agency | No objections |
| 4. | WSCC - Highways | No objections, comments received regarding surfacing materials of the highway to be further assessed under the adoption process under the s38 process |
| 5. | National Air Traffic Services (NATS) | No objections |
| 6. | Thames Water | Request a Grampian style condition be imposed as they consider there is inadequate sewerage capacity to accommodate the development. However, they have since advised that discussions are ongoing to agree a deliverable solution |
| 7. | Southern Water | Water supply – no objections subject to Informatives |
| 8. | Police | No objections – advice given regarding fencing and cycle stores |
| 9. | Highways England | Comments on revised details awaited – update to be provided at the meeting |
| 10. | CBC - Drainage Officer | No objections, subject to future maintenance and responsibility issues being addressed |

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| 11. | CBC - Property Division | No objections |
| 12. | West Sussex Fire Brigade | No comments received |
| 13. | CBC - Housing Enabling & Development Manager | No objections, supports this application |
| 14. | CBC - Planning Arboricultural Officer | No objections |
| 15. | UK Power Networks | No objections provided road infrastructure is maintained |
| 16. | CBC - Environmental Health | Air quality – informative to be added
noise – comments received regarding acoustic report, further information from applicants awaited – update to be provided at the meeting |
| 17. | Cycle Forum | Comment that cycle parking for the flats should comply with the standards, links between the streets and off road cycle and pedestrian network should be provided, bus shelter positions to have regard to cycle routes |
| 18. | CBC - Refuse & Recycling Team | No objections, bin collection plot outside plots 1 and 2 unnecessary |
| 19. | Ecology Advisor | No objections subject to condition |
| 20. | WSCC - Surface Water Drainage (SWD) | No comments received |
| 21. | NHS Crawley Clinical Commissioning Group | No comments received |
| 22. | NHS South East Coast Ambulance Service | No comments received |
| 23. | Independent Water Networks Ltd | No comments received |
| 24. | Gatwick Diamond Grow Group | No comments received |

NEIGHBOUR NOTIFICATIONS:-

Application advertised in press and by site notices.

RESPONSES RECEIVED:-

None received.

REASON FOR REPORTING TO COMMITTEE:-

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

BACKGROUND:-

- 1.1 Outline planning permission (CR/1998/0039/OUT) was granted by the Secretary of State in February 2011 for the North East Sector neighbourhood, now known as Forge Wood. This established the principle of a mixed use neighbourhood to include up to 1900 dwellings, 5,000m² of employment floor space, 2,500m² of net retail space, a local/community centre, primary school, recreational open space, landscaping, the relocation of a 132KV power line adjacent to the M23 and other associated works.
- 1.2 A further application for the subsequent variation of conditions, CR/2015/0552/NCC, was permitted by Committee in November 2016. This has resulted in the issue of a new outline planning permission for Forge Wood and the key changes were a re-evaluation of the overall Master Plan, arising from changes in circumstances, in particular, the technical constraints that apply to the site (including a remodelled floodplain and drainage mitigation measures) and a reconsideration of certain elements of the layout and the disposition of land uses proposed for Forge Wood. The changes provide for a more satisfactory form of development, reflecting up to date circumstances and technical guidance and responding to changed local aspirations for this new neighbourhood.
- 1.3 The principle of the new neighbourhood, the quantum of development, as well as the access arrangements and principal road junctions have therefore been established.

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- 1.4 With regard to this part (Phase 3) of Forge Wood, the infrastructure application for Phase 3 and part of Phase 4 (CR/2016/0781/ARM) was considered at the December 2016 meeting of this Committee. This application included the road layout, drainage features and the acoustic bunds and fences. It was resolved to approve this application subject to resolution of drainage issues in respect of the M23 raised by the Highways Agency. These discussions have been concluded and the reserved matters decision was issued on 17th March 2017.
- 1.5 A Reserved Matters application for the residential parcel of Phase 3A (CR/2016/0780/ARM) was considered at the January meeting of this Committee. The decision was to approve this application subject to the resolution of the M23 drainage issues in respect of Phase 3 and part of Phase 4 (CR/2016/0781/ARM) since Phase 3A relies on the proposed infrastructure. Following the approval of that infrastructure reserved matters, the decision for 3A was subsequently issued on 20th March 2017.

THE APPLICATION SITE:-

- 2.1 The Phase 3B site is 4.59 hectares in area and is located on the eastern side of Forge Wood between Balcombe Road and the M23. The application site is to the south east of the spine road which will serve Phases 3 and 4. Phase 3A was the subject of a separate application (CR/2016/0780/ARM) comprising the more western part of the Phase 3 site towards Balcombe Road.
- 2.2 The topography of the site and surrounding area is broadly flat. The site is not heavily wooded in the manner of other parts of Forge Wood. There are some field hedgerows with mature trees on site boundaries and the site does enjoy some screening from existing trees. To the south and south east, there are also wooded areas. There is tree screening along the boundary with the M23.
- 2.3 A public footpath crosses from Balcombe Road over to the east and goes over the M23 and forms the northern boundary of this sub phase.

THE PROPOSED DEVELOPMENT:-

- 3.1 This application seeks reserved matters approval for the siting, design, external appearance and associated landscaping of a residential development of 151 dwellings. The dwellings comprise a mix of 2 and 2½ storey houses and 3 storey flats as follows:
 - 42 x 2 bed flats
 - 32 x 2 bed houses
 - 63 x 3 bed houses
 - 11 x 4 bed houses
 - 3 x 5 bed houses
- 3.2 The dwellings in this sub phase are located to the east and south east of the central spine road which serves Phases 3 and goes north into Phase 4. This sub-phase comprises the following Character Areas - Main Street, Neighbourhood and Woodland Glade Inspired. 40% of the housing is proposed to be affordable. The density in this sub-phase would be 45 dwellings per hectare, based on the stated net developable area.
- 3.3 The application is supported by a Design and Access Statement, a Sustainable Surface Water Strategy, an Ecological Assessment, a Drainage Strategy, Planning Statement, Noise Assessment Report and a Landscape Management Plan.
- 3.4 The application has been amended following a series of discussions with officers and receipt of consultees' responses relating to the originally submitted overall layout/design and ongoing revisions.

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PLANNING POLICY:-

The National Planning Policy Framework 2012 (NPPF)

- 4.1 The NPPF has a golden thread running through it which seeks to ensure a presumption in favour of sustainable development and states that there are three dimensions to sustainable development and the planning system performs an economic, social and environmental role. These roles are mutually dependent. The Framework requires applications to be determined in accordance with the development plan.
- 4.2 It emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development and that planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. Listed within the core principles in this document is the requirement that the planning system should “*always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings* (paragraph 17)”. Paragraphs 56 to 66 expand upon this principle stating amongst other things that development plans should have robust and comprehensive policies which set out the quality of development expected for an area.
- 4.3 Relevant paragraphs are:
- paragraph 14: presumption in favour of sustainable development – this means that development that accords with the development plan should be approved without delay, or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts which would outweigh the benefits or it would be contrary to the policies in the NPPF
 - paragraph 17 : core planning principles
 - Section 6: delivering a wide choice of high quality homes – this seeks to significantly boost the supply of housing. Applications should be considered in the context of the presumption in favour of sustainable development and are to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities
 - Section 7: requiring good design - this emphasises the importance of good design to achieve high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes. It is proper to seek to promote or reinforce local distinctiveness and the policies and decisions should address the integration of new development into the natural, built and historic environment.
- 4.4 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that applications for planning permission must be determined in accordance with the relevant provisions of the Development Plan unless material considerations indicate otherwise.

Crawley 2030: The Crawley Borough Local Plan 2015-2030

- 4.5 The Plan was adopted on 16th December 2015.
- 4.6 Housing policy H2 identifies Forge Wood as a key deliverable housing site for up to 1,900 dwellings within the period to 2020. Policy H3 requires all housing development to provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. Affordable and low cost housing should be provided as part of the housing mix and policy H4 specifies the requirement for affordable housing. In this case the affordable housing requirements for Forge Wood are already addressed through conditions 1, 62 and 63 on the outline permission.
- 4.7 Overarching policy SD1 sets out the presumption in favour of sustainable development in line with 6 strategic objectives which include progress towards climate change commitments, providing a safe and secure environment for residents and visitors and meeting the social and economic needs of the current and future population and policy CH1 supports development in line with the neighbourhood principle (of which this sub-phase of Forge Wood complies with).

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4.8 Policy CH2 sets out the principles for good urban design and states:

To assist in the creation, retention or enhancement of successful places in Crawley, development proposals will be required to:

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

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

- 4.9 Policy CH3 sets out the normal requirements of all development and requires proposals to be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context, be of high quality in terms of landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. In addition, proposals must provide a good standard of amenity for future residents in compliance with internal space standards and not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance or overshadowing, traffic generation and general activity. The policy requires the retention of existing individual or groups of trees that contribute positively to the area and seeks to ensure sufficient space for trees to reach maturity particularly when located in private gardens to ensure dwellings receive adequate daylight. Development should also meet its operational needs in respect of parking, access, refuse storage etc. The policy also requires the development to incorporate 'Secure by Design principles' to reduce crime, consider community safety measures and demonstrate design quality through 'Building for life' criteria.
- 4.10 Policy CH4 requires the comprehensive and efficient use of land to ensure the proper phasing of development over a wider area.
- 4.11 Policy CH5 sets out the internal space standards for all new dwellings in line with the Nationally Described Space Standards and also requires development to include appropriate provision of external space.
- 4.12 Policy CH6 seeks to ensure landscape proposals for residential development contribute to the character and appearance of the town and seeks to ensure 1 new tree for each dwelling and where trees are lost, seeks mitigation in line with the published replacement standards.
- 4.13 In respect of access, policy CH11 requires proposals that detract on the character of a right of way or other type of recreational route to be adequately mitigated.
- 4.14 Policy CH12 seeks to protect heritage assets. This site has been identified as an archaeologically sensitive area and condition 19 on the outline permission covers these requirements.
- 4.15 Policy ENV2 requires all proposals to encourage biodiversity where appropriate and to refuse proposals where there would be significant harm to protected habitats or species unless harm can be appropriately mitigated.

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- 4.16 Policy ENV6 sets out the requirement for all development to maximise carbon efficiency with all new dwellings being required to have strengthened on-site energy performance standards while policy ENV9 seeks to ensure development is planned and designed to minimise the impact on water resources and promote water efficiency.
- 4.17 Policy ENV8 seeks to ensure development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere. The suitability of this site was considered as part of the outline application, through the overall masterplan layout and via the site wide drainage strategy covered by condition 16. The reserved matters applications are required to include the specific drainage details for the relevant phase/sub phase.
- 4.18 Policy IN1 seeks to satisfactory infrastructure provision on and off site and where necessary mitigation (this site was considered as part of the outline application, through the overall masterplan layout and via planning conditions).
- 4.19 Policy IN2 requires residential development to be designed and connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- 4.20 Policy IN4 requires development to meet its needs when assessed against the Council's car parking and cycle parking standards.

Supplementary Planning Guidance and Documents

- 4.21 The following documents are also relevant in the consideration of this application:
- Urban Design Supplementary Planning Document, Adopted October 2016
 - Green Infrastructure Supplementary Planning Document, Adopted October 2016
 - Planning and Climate Change Supplementary Planning Document, Adopted October 2016
 - Developers Contribution Guidance Note , Adopted July 2016

PLANNING CONSIDERATIONS:-

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

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Is the Proposal in Substantial Accordance with the Approved Masterplan and Design Statement?

- 5.4 The Masterplan and Design Statement for Forge Wood sets out the general structure of the overall development and identifies character areas. This application site is comprised of areas designated as Main Street and Neighbourhood Housing as set out in the Design Statement, but also includes a new character area 'Woodland Glade Inspired', which draws its reference from the Woodland Glade character area identified for Phase 2D.
- 5.5 The general road arrangements correspond with that shown on the Masterplan and the finer details of this sub phase have been developed from the road layout and other details shown in the Phase 3 / 4 infrastructure application.
- 5.6 The Masterplan shows the general arrangement of this part of the site, with a main spine road which runs north/south and residential development either side. This main road leads from the site access off Balcombe Road in the south and connects to Phase 4 to the north of the site. The details now shown for this sub phase relates to the east of the spine road and has main street housing facing the spine road, with cul de sacs leading off the spine road to the east and serving the dwellings in the areas of neighbourhood housing. The Woodland Glade Inspired area is a separate area to the south east of the spine road. Overall, the layout is considered to be in accordance with the Masterplan.
- 5.7 The density at 45dph would be in general accordance with condition 1 of the outline permission CR/2015/0552/NCC, which requires it to be no lower than 41dph.

- 5.8 In terms of the approved Design Statement, the objectives are:

Main Street

- Create a low speed highway network where the carriageway is subservient to the urban form.
- Provide a highly permeable development to encourage pedestrian and cycle movement.
- Create a sequence of clearly designed spaces to aid orientation and local identity.
- Building heights to be predominantly 2 to 2½ storeys with occasional 3 storey development to punctuate or enclose key spaces or to terminate vistas.
- On curtilage parking to be discrete, set back behind main building line or in courtyards.
- On street parking to be in groups of no more than 3 spaces.
- Varying road width with a minimum of 5.5 metres with a footpath on either side although not necessarily contiguous with the carriageway.

Neighbourhood Housing

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

- 5.9 The proposal comprises a mix of 2, 2½ and 3 storey development and the overall layout of roads and streets and the dwellings within them continues the general design approach established in earlier phases of Forge Wood. The Main Street and Neighbourhood Housing areas are considered to be in accordance with the approved Design Statement.

- 5.10 The third character area is entitled 'Woodland Glade Inspired' and the applicants have advised that it draws its influence from the similar character area that comprises the approved Phase 2D sub phase. This area of the site lends itself to this approach as it is a separate parcel, detached from the rest of the phase by mature woodland. The design objectives for this area in Phase 3B are set out in the applicants Planning Statement as:

- Mainly 2 storey with occasional 3 storey
- Darker recessive materials to be used on dwellings backing onto the woodland
- New woodland planting within the development envelope to complement the existing woodland
- Housing oriented to minimise noise and light pollution on neighbouring woodland

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- 5.11 As originally submitted, Officers did not consider that the proposals for this Woodland Glade Inspired Character area were distinctive enough and amended plans had been sought to improve both the layout and the overall design. It is now considered that the revised layout and approach for this Woodland Glade Inspired character area, (although not specifically identified in the approved Design Statement), has reflected the concept of the approved phase 2D Woodland Glade character area and the amended details have responded positively to the specific context of this part of the sub phase of Phase 3. It now incorporates a looser grain of development, with staggered building lines and more landscaping has been added, giving this part of the site a more informal feel. It is considered that the scheme as amended is an appropriate approach for this character area.

Design Approach and Links with Existing and Subsequent Phases of the Development

- 5.12 The proposed layout of 2 and 2½ storey houses and 3 storey flats within the character areas continues the overall design approach established in earlier phases of Forge Wood. The house types and designs are generally similar to those that were approved previously, but with some variations to address the character area within which they are located and the local context of this sub phase.
- 5.13 The details also incorporate refinements to the scheme which have emerged and are ongoing as the neighbourhood has been built out. The proposed detailing and palette of materials for the dwellings and hard landscaping are also broadly in line with the approved Design Statement. The specific materials can be further considered and agreed in more detail through a conditions discharge request application for condition 38 attached to the outline planning permission.
- 5.14 During the consideration of the application a number of issues have been identified that have required revisions, including the layout and design approach of particular areas of this sub phase, the location of the affordable units, amenity space provision, street scene impact, hard and soft landscaping, parking provision and layout, and circulation within the site for cars, service vehicles and emergency services.
- 5.15 The amendments that have been submitted comprise:
- The high concentration of the affordable units, comprising predominantly flats, in the north of the site has been dispersed, with a relocation of one flat block to the southern part of the site with the substitution of houses fronting onto Main Street
 - Improved layout, setting and landscaping for the flats and improved relationship to surrounding houses
 - The use of pairs of semi-detached dwellings rather than terraces to reduce the bulk of built form and to reduce the need for convoluted rear access paths
 - Improved layout and additional landscaping for the Woodland Glade Inspired Character area
 - Turning heads added to end of cul de sacs to improve manoeuvring and allowing service vehicle access
 - Reduction in frontage parking and improved car parking layouts for specific plots
 - Garden sizes and separation distances have been improved across this sub phase
 - Juliette balconies added to flats and window design amended where appropriate to take advantage of outlook to open space and landscaping
 - Improved layout for the focal point adjacent to the Spine Road creating an area with soft landscaping and appropriate boundary treatment
 - Individual houses to have kerbside refuse collection arrangements
 - Visitor parking increased
 - Internal layout of flats revised to meet affordable housing requirements and to improve outlook, amenities and security for residents
- 5.16 It is considered that the revised plans have sought to address the concerns raised and that the design, layout and overall approach to this sub phase is now satisfactory.
- 5.17 Overall the layout is considered to assimilate with the key linkages identified in the Master Plan, including the footpath and cycle connections into adjacent parcels to the north (Phase 4) and west (Phase 3A) and further across to the local road and central parkland in Phase 1.

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- 5.18 The proposal is also considered to integrate with the approved layout and details for phase 3A and should not prejudice the development of Phase 4 to the north. In addition, the relationship with the land parcel outside of the Forge Wood application site (but within the Local Plan allocation in Policy H2) to the south and any future development potential would not be prejudiced by this layout.

Housing mix and affordable housing

- 5.19 A total of 151 units are proposed, comprising houses and flats, divided between 91 private market units and 61 affordable dwellings.

Private Dwellings

- 5.20 The mix of the private units is:

- 6 x 2 bed flats
- 20 x 2 bed houses
- 50 x 3 bed houses
- 11 x 4 bed houses
- 3 x 5 bed houses

- 5.21 This range of private market dwellings is considered to be acceptable and provides for an appropriate mix of dwelling sizes across this sub phase.

Affordable Dwellings

- 5.22 With regard to the affordable housing proposals, the outline planning permission under condition 62 requires 40% affordable housing provision in each phase or sub-phase of the Forge Wood development and a 70:30 split between social rented accommodation and intermediate affordable housing.

- 5.23 For Sub-Phase 3B, of the 151 dwellings proposed, 61 are affordable and therefore the level of affordable housing provision is 40%. Phase 3A which has been approved, had 90 affordable units out of 225 and so the provision for that sub phase was 40%. The applicants have thus demonstrated that the 40% requirement will be met in Phase 3 as a whole and separately in the two individual sub phases 3A and 3B.

- 5.24 The tenure split of these 61 affordable units into 43 units for affordable rent and 18 units for discount market sale meets the 70:30 criteria.

- 5.25 Thus the number of affordable housing units proposed meets the requirements set out in policy H4 and also condition 62 of the outline planning permission CR/2015/0552/NCC.

- 5.26 The mix of the affordable units provided is:

- 36 x 2 bed flats
- 12 x 2 bed houses
- 13 x 3 bed houses

- 5.27 With regard to the location of the affordable housing, the revised plans now show a reduced cluster to the northern part of the site, with the relocation of one block to the south, reducing the numbers in this northern part of the site from 43 to 35 units, comprising 3 flat blocks (24 flats) and 11 houses. In the southern section, the cluster is 26 units, comprising 2 flat blocks (12 flats) and 14 houses. There is also now a mix of the tenures in the southern part.

- 5.28 Whilst these are 2 fairly large clusters, they are integrated well into the surrounding layout and it is considered that the amended plans have addressed the earlier concerns of an unsympathetic overconcentration of units, predominantly flats in the northern location.

- 5.29 The Housing Enabling and Development Manager considers that the revised scheme is now an appropriate approach for the layout of the affordable units in this sub phase. He comments that he is satisfied with the overall affordable housing provision, particularly the provision for family

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accommodation and he is generally pleased with the design response to some of the layout and clustering issues that have been addressed through the process.

- 5.30 The design and detailing of the affordable dwellings is very similar to the market housing and therefore a good degree of tenure blindness will be achieved. The difference from the private market housing is that the affordable units do not have garages, but otherwise the level and form of detailing between the house types is consistent. The amendments to the layout have looked at the provision of parking for the affordable units to ensure that the parking for the affordable units is assimilated into the overall layout in a sympathetic manner. Thus there is now a degree of variety in the provision, so that there is now a reduction in the extent of frontage parking and with additional landscaping this ensures that affordable housing is more likely to be tenure blind and not an obviously different element of the development.

Adequacy of the Dwellings for Future Occupiers including Parking and Servicing Requirements

- 5.31 Internal dwelling sizes for all dwellings are in accordance with the National Space Standards and Policy CH5.
- 5.32 In respect of amenity space and garden sizes, policy requirements are set out in CH5 which states that *'residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements; suitable for the level of occupancy.'*
- 5.33 Further advice and guidance is contained in the Urban Design SPD, which sets out the above requirements with minimum floor area standards for private amenity space. It also states that *'external space standards are of particular importance to affordable housing. Since affordable housing tends to be fully occupied after construction, garden sizes for affordable housing should be met given the likely level of full occupancy.'*
- 5.34 With regard to the flats in this sub phase, the flat blocks are set in landscaped courtyards and face onto landscaped areas and are in close proximity to open space. These are considered to be attractive, spacious and appropriate layouts for these units.
- 5.35 Of the 109 houses in this sub phase, 83 (76%) meet the Council's Outdoor Space Standards. It is thus acknowledged that not all of the units would accord with the standards as 26 houses (24%) would have insufficient amenity space. Of those 26 units that do not comply, 14 are within 10% of the standards and 12 are within 25% of the standards.
- 5.36 Officers do acknowledge that the garden sizes for houses are not fully in accordance with the outdoor space standards as set out in SPD guidance. However, this application has been the subject of five sets of formal submitted revisions, with further changes submitted informally throughout the period that the scheme has been considered. These changes have related particularly to the layout and incorporating each time further improvements to the sizes of the gardens, and in particular to those of the affordable housing units. As a result the garden sizes have significantly improved from the original submission.
- 5.37 Given the constraints of the site and the requirement to provide 1900 new dwellings across all phases, including affordable housing, it is considered that the proposed garden sizes would be acceptable.
- 5.38 In addition the amended plans have endeavoured to ensure that the separation distances are compliant with Urban Design SPD's minimum requirement of 21m distance of habitable room window to window relationships, which is also an indication that the development has been designed so to ensure that there would be adequate space surrounding the properties and privacy between the dwellings. There is a part of the site where the full distance has not been able to be achieved, (plots 115 /118 and 125/127 with a 20m separation distance) but it has not been possible to revise this any further due to physical constraints of the layout. It should also be noted that there are a few instances where window separation distances on the flats are inadequate, but these relate to secondary windows and a condition requiring them to be obscured glazed is required to safeguard privacy.

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- 5.39 Of the 26 dwellings that do not meet the garden size standards the scheme has now been amended and redesigned to a point where the additional rear garden space for these could not be achieved without resulting in harm to the aesthetic urban environment, the public realm open space and soft landscaping. The applicant has provided a detailed explanation of why each specific plot cannot be amended further, which are due to onsite physical constraints or to do so would cause harm to other aspects of the development.
- 5.40 In addition, given the location of the site and surrounding open space, the relationship to the sports and play facilities in Phase 4 to the north and the proximity to the nearby woodland, it is considered that the development in this sub phase would benefit significantly from the range of additional open space provision which is an integral part of the Neighbourhood as a whole.
- 5.41 Overall when assessing the application as a whole and having regard to the delivery of the neighbourhood as a package, and the significant areas of open space and landscaping and also taking into account that garden sizes are set out as guidance not policy, and the lesser weight that this affords, it is considered that the development will have an appropriate level of amenity space overall and officers are of the view that the scheme should be considered acceptable.
- 5.42 Parking spaces within the development are in accordance with standards and as revised are readily accessible. The requirements are 1.5 spaces per 2 bed unit and 2-3 spaces for 3+ bed units.
- 5.43 For the houses car parking is to be provided as garages or surface parking either to the front or side of the dwellings. Parking for the flats is in the form of surface spaces in a courtyard arrangement in the immediate surrounds of the flats. The flats have one allocated parking space per unit, plus visitor spaces. The amended plans have sought to improve the layout of these courtyards from a practical, aesthetic and residential amenity point of view and it is considered that the layouts now accommodate the parking in a sympathetic manner, with appropriate landscaping.
- 5.44 WSCC had commented on the overall lack of visitor spaces within the layout and the amended plans now show an increased provision throughout the layout, especially in the areas of the flats.
- 5.45 Cycle storage for the houses is either within the garages or by a storage shed in the garden. For the flats cycle stores are to be provided within the curtilage of the flat blocks or attached to the building and currently indicate one space per unit. The Cycle Forum have requested that the provision for the flats accord with the SPD standards, which is 2 cycle spaces per unit. The proposed cycle stores can provide the additional spaces internally and the details of this can be covered by a specific condition to ensure they are appropriate.
- 5.46 Information has been provided to demonstrate that cars and service vehicles can manoeuvre satisfactorily around the site.
- 5.47 With regard to refuse and recycling arrangements, in the main, individual houses have refuse storage facilities within curtilages and would have the usual kerbside collection point. Flats would have communal collection from the bin stores attached to the buildings or from the separate bin store buildings in their courtyards.
- 5.48 CBC Refuse & Recycling Team had initially objected to the refuse and recycling strategy as not all units were being shown to be served in this way. The objection related to a number of communal collection points for individual houses and cites management issues on earlier phases with residents leaving bins out throughout the week and missed collections. The applicants have since provided revised details and the houses would now be served by individual road side collections apart from one bin collection point for the three houses within the private drive serving plots 1 – 3. This would be set close to the junction with shared surface street 01 where manoeuvring for refuse disposal vehicles is satisfactorily provided for. It is considered that these revised arrangements are satisfactory.

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Noise Impacts, Air Quality and Sustainable Design Considerations

- 5.49 Due to the proximity of the site proximity to Gatwick, the impact of aircraft noise from both a single and two runway airport on the development was a key consideration at the Planning Inquiries and a number of conditions were imposed by the Inspector to safeguard the amenities of future occupiers. In addition, mitigation for this sub phase is required in relation to road noise.
- 5.50 The outline planning permission under condition 34 requires a scheme to demonstrate the dwellings have sufficient protection against these noise sources. The approved infrastructure application for phase 3 and 4 (CR/2016/0781/ARM) includes the construction of a noise bund with acoustic fencing to mitigate the effects of noise from the M23. In addition specific measures for the dwellings themselves will be required to address noise from aircraft but these will not have a significant impact of the external appearance of the dwellings under current consideration.
- 5.51 Consultee responses have indicated that the development proposed will result in a generally acceptable noise environment in respect of aircraft noise, subject to consideration of the detail of the noise mitigation strategy to be submitted under condition 34. In respect of road noise, late comments have been received from Environmental Health about the noise modelling report. The applicants are to provide further details and an update will be provided at the meeting.
- 5.52 With regard to air quality, the eastern boundary of the site runs alongside the M23 and there is an Air Quality Management Area to the south along Crawley Avenue (A2011). Within the site, along the M23 boundary there is the acoustic barrier comprising the bund and fence, and a planted area which contains a number of drainage features (swales). The undergrounded power lines also run along this route. This creates a landscape buffer, which is shown on the approved Master Plan and is a specific Character Area identified in the Forge Wood Design Statement and has to be a minimum of 40m wide as required by condition 64 of the outline permission. The effect of this buffer is to separate the dwellings from the motorway. Environmental Health recommend the use of an Informative stating that the area be included in the air quality background monitoring program to establish extant air quality levels. This Informative was added to the permission for the recently approved sub phase 4A.
- 5.53 The outline planning permission requires an assessment of the buildings to meet sustainable design and construction measures offsetting 10% of predicted carbon emissions (energy) through a combination of sustainable design and construction or on-site renewable energy. A sustainable construction or 'fabric first' approach would have no impact on the exterior of the buildings as designed however, the introduction of renewables (most likely PV panels) would have a visual impact on the design of the dwellings and it is proposed that in such circumstances details of any PV panels to be installed is controlled via a condition to safeguard the visual quality of the development.

Impacts on Ecology, Trees and Landscaping

- 5.54 An ecological report was provided with the application which concludes that there would not be any significant adverse effects on any statutory or non-statutory sites interest and the application site and wider site has been surveyed for bats, badgers, birds, dormice, reptiles and great crested newts. Habitats are of some limited ecological value for faunal species but the ecological value of the habitats is limited on account of the fact that they are species poor. The main habitats of greater value being the hedgerow and woodland areas. Habitat works will be undertaken to remove suitable vegetation and ensure reptiles are not present. Enhancements and mitigation within the site will ensure all wildlife is protected and that the site provides benefits post development.
- 5.55 Natural England's standing advice for reptiles has been considered in relation to grass snakes, the loss of this habitat was accepted with the grant of outline permission. The proposed mitigation will ensure that species are not harmed and translocation measures can be implemented.
- 5.56 The Council's ecological advisor raises no objection. Outline planning conditions relating to a CEMP and a Biodiversity Management Plan adequately cover ecology matters on a site wide basis rather than in regard to a particular area of an individual reserved matters application.
- 5.57 Other previously approved reserved matters applications have stipulated that the development is to proceed in accordance with the submitted Ecological Report and it is recommended that a similar condition is imposed for this sub phase.

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- 5.58 The proposal does not result in significant tree loss and is accompanied by landscaping proposals which are considered to mitigate the loss, enhance landscape and mitigate the impact of the development generally. The layout and design of the Woodland Glade Inspired character area has evolved during the consideration of this application and takes into account and reflects the treed surroundings of this part of the site. Additional planting has also been incorporated into this area. Other areas of specific landscaping include the focal point in Main Street (adjacent to plots 104 – 106 and 129 – 134) and the green ribbon area in the central section of the site (plots 88 - 95). The applicants have also introduced additional landscaping to the flat courtyards, where practical, to provide a greener and softer setting for the units.
- 5.59 It is accepted that as a greenfield site and through the outline approval of the masterplan layout that there will generally be a loss of countryside and trees. Within phase 3B, the loss of 11 trees is not considered to be significant as they are either unsuited for retention or are of low to moderate quality and the more important and mature trees on the site and around it are to be retained. In addition, woodland areas are to be preserved for the most part looking at Phase 3 as a whole. The arboricultural officer has raised no objection to the layout on the basis that the trees to be retained are protected in accordance with the submitted tree protection measures.
- 5.60 In this case it is not considered that the policy requirements of CH6 are appropriate in respect to the expected level of tree replacement within this sub phase given the nature and scale of the development overall across Forge Wood as a whole and the wider and comprehensive landscaping proposals and extensive open space. As part of the layout within phase 3 as a whole, the applicants are proposing to mitigate tree loss through the landscaping within the open space, bunds and swales, along streets throughout the layout, at the site entrance and along the M23.

Surface Water Drainage

- 5.61 There is a need to ensure that there is an effective drainage strategy for the construction of this phase of the development and to serve the development as a whole. This is controlled through condition 16 on the outline planning permission which requires the submission of a site wide drainage strategy which includes details of the ongoing management and maintenance. Outline application condition 8 also requires a detailed surface water strategy for each phase or sub-phase to be submitted as part of the Reserved Matters applications.
- 5.62 The Forge Wood site, as a whole, is split into a number of smaller sub catchments. Each will deal with its own surface water drainage before discharging into the downstream sub-catchment and ultimately into the Gatwick Stream. Within each sub catchment, flows will be attenuated through the provision of off-line grassed detention basins, on-line tank sewers and off-line cellular storage.
- 5.63 The Phase 3 drainage strategy as a whole incorporates swales, permeable surfaces and cellular storage tanks, and there is cellular storage within Phase 3B itself, in order to attenuate the surface water to greenfield runoff rates which discharge to the wider Phase 3 and the downstream sewer systems. The Drainage Officer has no objections to these details, subject to future maintenance and responsibility issues being addressed.
- 5.64 The principles of the site wide drainage strategy have been agreed. The outstanding strategy matter regarding drainage is the future long term maintenance and management of the drainage features and this is the subject of ongoing discussions in respect of the submitted site wide drainage strategy under ref CR/2015/0552/CC3. The approach is that the drainage would be the responsibility of a private management company and finalised details of the arrangements and financial safeguards are to be agreed as part of the discharge of condition 16.

Foul Drainage

- 5.65 Thames Water has consistently commented that the existing waste water infrastructure is unable to accommodate the needs of the development and have recommended that a 'Grampian Style' condition be imposed requiring an on and off-site drainage strategy for the proposed works. It is not appropriate to impose a condition relating to strategic infrastructure to a reserved matter application as such issues should have been conditioned at outline stage. The appeal Inspector did not impose a specific condition in respect of foul water drainage. The applicants are in any event required to make

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satisfactory provision for waste water and will have to reach agreement with Thames Water. This can be achieved outside of this reserved matters application.

- 5.66 The applicants have previously confirmed that they already have a foul drainage strategy and agreement with Thames Water which covers the whole development. More recently they have also advised that that under S106 of the Water Industry Act (WIA), Thames Water have previously granted the right to connect to the public foul sewer network in two locations, namely Radford Rd and the junction of Balcombe Rd/Steers Lane. Subsequent to that agreed position, GTC, the appointed drainage adopting body for this development have developed matters further with Thames Water including a potential new sewer to the sewage treatment works, all under the WIA.
- 5.67 Thames Water have subsequently confirmed that discussions are ongoing with the developers to agree a deliverable solution, with the preferred option being the construction of a rising main to discharge flows to Crawley Sewage Treatment Works.

CIL

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

CONCLUSIONS:-

- 6.1 This application for Phase 3B at Forge Wood as amended is considered to have addressed the design parameters and relevant conditions imposed on the outline planning permission CR/2015/0552/NCC and is considered to be in substantial accordance with the Masterplan and Design Statement.
- 6.2 The revised design and layout as now shown on the amended plans is considered to follow the approach established with the 'reserved matters' in previous phases and the various character areas. A generally cohesive development pattern and distinctive character to Forge Wood will be delivered. The design details and dwelling styles are considered appropriate.
- 6.3 The proposed Phase 3B scheme is considered to comply generally with the adopted standards and to have adequate gardens, albeit not entirely in accordance with the SPD guidance. Overall, what is proposed would be a residential environment of good quality. In addition, the layout in terms of its design, landscaping and indicative palette of materials provides an attractive and legible layout and safeguards the privacy and amenity of future occupants.
- 6.4 The layout scheme as a whole is also considered to appropriately address the environmental safeguards set out in the outline conditions in terms of ecology, noise and drainage subject in some cases to further information to discharge the relevant conditions.
- 6.5 The application has also been considered in relation to the wider requirements on the outline permission and is considered to meet the parameters and conditions as set out.

RECOMMENDATION RE: CR/2016/0962/ARM

The recommendation is to APPROVE this reserved matters application subject to the following conditions and informatives:

1. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.

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- 2 Provision shall be made for high speed broadband to serve all dwellings with the development in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details prior to the relevant dwelling being first occupied.
REASON: To ensure delivery of high quality communications in accordance with Policy IN2 of the Crawley Borough Local Plan 2015-2030.
- 3 Provision shall be made for combined aerial facilities to serve all flat development in accordance with details to be first submitted to and approved in writing by the Local Planning Authority and shall be provided prior to the occupation of any flat in each particular block.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 4 Before the properties approved in this phase are first occupied, details of the design and location of lighting to be provided in the parking areas shall be submitted to and approved in writing by the Local Planning Authority, and the lighting thereafter implemented in accordance with the agreed details.
REASON: To safeguard the appearance of the development and the amenities of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 -2030.
- 5 Notwithstanding the details submitted and prior to first occupation of the residential flats which they are intended to serve, details of the provision to be made for the storage of cycles for the apartment blocks shall be submitted and approved in writing by the Local Planning Authority. Thereafter the secure cycle store(s) for the houses and apartments and the refuse stores shall be constructed in accordance with the approved details and operational prior to the first occupation of the dwellings which they are intended to serve.
REASON: To safeguard the appearance of the development and the amenities of the area and to ensure the operational requirements of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 -2030.
- 6 No solar panels or renewables which may be required pursuant to the discharge of a condition on the outline planning permission shall be installed unless and until full details of their design and location are submitted to and agreed by the Local Planning Authority in writing. The works shall thereafter be implemented in accordance with the agreed details.
REASON: To control the design of the development in detail and to ensure a satisfactory visual appearance in the interests of visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015 – 2030.
- 7 No development, including site works of any description shall take place on the site unless and until all the trees/bushes/hedges to be retained on the site have been protected in accordance with the approved drawing(s) and submitted details. 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 and CH6 of the Crawley Borough Local Plan 2015-2030.
- 8 The construction of the development shall be undertaken in accordance with the safeguards detailed within the submitted Ecological Assessment dated November 2016 by Ecology Solutions.
REASON: To ensure that the ecology of the site is protected and enhanced in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and Para 118 of the NPPF 2012.
- 9 All landscaping works shall be carried out in accordance with the approved drawings and details. 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 in accordance with Policy CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

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- 10 All planting, seeding or turfing comprised in the approved details of landscaping within Phase 3B shall be carried out in accordance with a phased scheme, including timing of planting, seeding and turfing, to be first submitted to and approved in writing by the local planning authority and any trees or plants or turfing which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 11 Details of the design and location of external flues and gas pipes to be provided to serve the dwellings (including flats/apartments) shall be submitted to and approved in writing by the Local Planning Authority, and the external flues and gas pipes shall thereafter be implemented in accordance with the agreed details before first occupation.
REASON: To control the design of the development in detail and to ensure a satisfactory visual appearance in the interests of visual amenity in accordance with CH3 of the Crawley Borough Local Plan 2015 – 2030.
- 12 Prior to first occupation, the following windows on the residential flats shall be glazed with obscured glass in accordance with details to be submitted to and approved in writing by the Local Planning Authority:
- Plot 129 south elevation
 - Plot 130 south elevation
 - Plot 134 south elevation
 - Plot 135 south elevation
 - Plot 136 south elevation
 - Plot 148 west elevation
- These windows shall thereafter be permanently maintained in accordance with the agreed details.
REASON: To protect the amenities and privacy of future occupiers in accordance with policy CH3 of the Crawley Borough Local Plan 2015 -2030

INFORMATIVES

1. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from www.aoa.org.uk/policy-campaigns/operations-safety/)
2. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs

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the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

3. The applicant is advised that the management and maintenance of the drainage proposals for this site and Forge Wood as a whole must be the subject of an application to discharge condition 16 of the outline planning permission.
4. The applicant may be required to apply for other consents directly from the Environment Agency. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.
The applicant should contact 03708 506 506 or consult the EA website to establish whether a consent will be required – <https://www.gov.uk/environmental-permit-check-if-you-need-one>
5. The site is in very close proximity to a major motorway and borders an existing air quality management area on its southern boundary. The developer is therefore requested to contact the Environmental Health Department of the Council to arrange for nitrogen oxide tubes (NOX tubes) to be installed in appropriate positions adjacent to the residential dwellings and for the area to be included in the air quality background monitoring program to establish extant air quality levels. The area shall also be added to the network of existing background monitoring sites until such a time it can be seen that NOX levels do not exceed 40 ppm/mg.

NPPF Statement

1. In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:
 - Liaising with members/consultees/respondents/applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
 - Seeking amended plans/additional information to address identified issues during the course of the application.

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

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NES CRAWLEY: PHASE 3B - SITE LOCATION PLAN



PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | WWW.PEGASUSPO.CO.UK | TEAM/DRAWN BY MCC/CCW/KM | APPROVED BY P.M: MCC | DATE: 01/08/2017 | SCALE: 1:2500 @ A1 | DRWG: P.1165_08 REV: A | CLIENT: PERSIMMON HOMES |

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 4 December 2017
REPORT NO: PES/242(b)

REFERENCE NO: CR/2017/0596/FUL

LOCATION: NORTHWEST HOUSE, 23 GATWICK ROAD, NORTHGATE, CRAWLEY
WARD: Three Bridges
PROPOSAL: TEMPORARY PERMISSION TO ALLOW CONTINUED USE OF SCHOOL FOR ONE FURTHER ACADEMIC YEAR WITH A MAXIMUM OF 537 PUPILS

TARGET DECISION DATE: 27 October 2017

CASE OFFICER: Mr D. Power

APPLICANTS NAME: Education and Skills Funding Agency
AGENTS NAME: JLL Ltd

PLANS & DRAWINGS CONSIDERED:

Z0069 A-01.00 Rev 3 Site Location Plan
Z0069 A-02.01 Rev 1 Existing Site Plan
Z0069 A-03.01 Rev 13 GA Plan - Ground Floor Block A - Proposed Plan
Z0069 A-03.05 Rev 10 GA Plan - Ground Floor Block B - Existing & Proposed Plan
Z0069 A-03.06 Rev 2 GA Plan - Ground Floor Block A - Existing Plan
Z0069 A-03.11 Rev 10 GA Plan - First Floor Block A - Proposed Plan
Z0069 A-03.14 Rev 1 GA Plan - First Floor Block B - Existing & Proposed Plan
Z0069 A-03.17 Rev 1 GA Plan - First Floor Block A - Existing Plan
CPMP-5 Rev P1 Illustrative Access & Car Park Layout (Temporary Phase)
CPMP-7 Illustrative Marshall Plan (Temporary Phase)

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	GAL - Aerodrome Safeguarding	No objection
2.	Environment Agency	No objection
3.	WSSC – Highways	No objection subject to condition
4.	Police	No objection
5.	CBC - Drainage Officer	No objection
6.	CBC - Planning Arboricultural Officer	No objection
7.	CBC - Environment Team	No objection
8.	CBC - Environmental Health	No objection
9.	CBC - Refuse & Recycling Team	No comments have been received
10.	CBC - FP - Energy Efficiency & Sustainability	No objection subject to condition
11.	CBC - FP - Retail & Employment	Comments
12.	CBC - FP - Manor Royal	Comments

NEIGHBOUR NOTIFICATIONS:-

The application was publicised by press and site notices.

RESPONSES RECEIVED:-

One letter of support received.

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REASON FOR REPORTING TO COMMITTEE:-

Major development based on a site area of over 1ha.

THE APPLICATION SITE:-

- 1.1 The application site of 1.2ha is situated on the east side of Gatwick Road, on the south side of Tinsley Lane and to the west of Wheatstone Close. The site comprises the 2 former office buildings, (Building A and Building B), car parking and landscaping, and was previously known as Gatwick 23.
- 1.2 Gatwick Free School have occupied the site since September 2014, initially operating with the benefit of the one year permitted development rights under Part 4 Class C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). In 2015 temporary planning permission was granted until July 2017 for a maximum number of 440 pupils, comprising 180 primary pupils and 260 secondary pupils. The school now occupies both of the buildings on the site which have been fitted out offering a range of academic subjects with the required class rooms and equipment.
- 1.3 The site is approximately 2.9km north of Crawley town centre. The nearest bus stops are approximately 60 metres (southbound bus stop) and 75 metres (northbound bus stop) from the entrance of the school. Gatwick Road has a segregated full-time bus lane that runs along the southbound route and an intermittent segregated bus lane along the northbound route. There are existing accesses along all 3 road frontages of the application site and there is a row of trees along the northern boundary with Tinsley Lane North which are protected by a Tree Preservation Order.
- 1.4 The site lies within the Manor Royal Main Employment Area and the area is also covered by Article 4 Directions limiting removing permitted development rights to convert employment uses to residential.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposed application seeks an extension to a temporary change of use of Gatwick 23, from B1(a) office to Class D1 education for a further academic year for The Gatwick School. Temporary planning permission was granted 2015 until July 2017 for a maximum number of 440 pupils, comprising 180 primary pupils and 260 secondary pupils. In this regard the school is now operating from the site without the benefit of planning permission as the temporary planning permission CR/2015/0638/FUL) expired in July 2017 and therefore this application is retrospective. This current application seeks temporary planning permission to continue to operate the school for a further 1 academic year (September 2017 – July 2018) for no more than 537 pupils, 237 in primary and 300 in secondary. A pre -application enquiry has been submitted for a permanent school on the site and is under consideration in the meantime this application has been submitted to allow the school to continue to operate from this site.
- 2.2 The proposed development will be accommodated within the two interlinked two-storey buildings on the site, and comprise a total of 5,780sqm of floorspace. There are no external works proposed to the building, while there has been a general refurbishment of the external of the building and the internal alterations to create the classrooms and other school facilities. The application proposes the retention of playground areas.
- 2.3 The access and car parking arrangements would comprise the following:
 - pedestrian access to be from Gatwick Road and Tinsley Lane North
 - the main vehicular access into the school is from Tinsley Lane North, with egress onto Gatwick Road and gives access to the main front car parking areas for staff, visitors and parents
 - the existing access point on Wheatstone Close is to be used to provide access to an overspill parking area for parents on the existing hard surfaced area to the rear of the site
 - cycle parking has been provided at the northern part of the site (10 spaces)

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- 2.4 During the course of the consideration of this application amended plans and amendments to the Travel Plan have been submitted to accurately reflect how the school is currently being operated.

PLANNING HISTORY:-

3.1 CR/2014/0531/NTF: NOTIFICATION FROM THE SECRETARY OF STATE FOR EDUCATION UNDER CLASS C.2 PART 4 OF SCHEDULE 2 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995, FOR USE AS A STATE FUNDED SCHOOL: This is a notification to the Local Planning Authority that the Secretary of State approved the use of the site as a state funded school under these permitted development rights and that it was due to open on 1st September 2014. It grants permission for one academic year, which is defined as running from 1st August and ending with the 31st July. The temporary permission therefore expired on 31st July 2015.

3.2 CR/2015/0020/FUL: CHANGE OF USE FROM OFFICES (B1) TO A CO-EDUCATIONAL SCHOOL (D1) WITH NEW BUILD SPORTS HALL, INCLUDING PARKING, EXTERNAL PLAY AREAS AND LANDSCAPING WORKS: The application was refused for the following reasons:

“1. The change of use of the existing buildings to a free school and erection of a sports hall, in this location in the Main Employment Area of Manor Royal and away from surrounding residential areas would not achieve safe and/or convenient access for pedestrians or cyclists and so would not be consistent within the principles of sustainable development, given the significance reliance on the private car for staff and pupil journeys to and from the school.....”

“2. It has not been demonstrated to the satisfaction of the Local Planning Authority that the change of use of the existing buildings to a free school and erection of a sports hall, would provide an acceptable standard of development, in terms of the scale of the proposal, the layout of the site and the site coverage, parking and access arrangements and provision of outdoor space, to enable the development to meet its own operational requirements and provide a suitable environment for the future pupils. The proposal overall is considered to represent an over development of the site.....”,

“3. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal makes adequate provision on the site for the vehicle parking associated with the proposed school use. The proposal would therefore increase the pressure for on-street parking at these times in an area where insufficient space is available. The proposal has the potential to result in severe detriment to highway safety and the free flow of traffic on the local highway network.....”

“4. It has not been demonstrated to the satisfaction of the Local Planning Authority that the proposal provides for suitable noise mitigation measures to address the noise environment....”

“5. It is considered that the scale of this proposal, in this location in the Main Employment Area of Manor Royal, with the associated traffic and parking demand, would have a detrimental effect on the wider area in terms of traffic congestion and exacerbating on-street parking problems, which would have an adverse impact on the economic role and function of Manor Royal as a main employment area and the wider economic function of Crawley. The erection of the sports hall would also prejudice any potential reuse of the building for office or other B1 purposes, as the level of space for car parking would be significantly reduced.....”.

“6. An agreement is not in place to ensure that the appropriate infrastructure provisions can be secured to support the development and the development...”

3.3 CR/2015/0638/FUL: TWO YEAR TEMPORARY CHANGE OF USE FROM COMMERCIAL OFFICES TO CO-EDUCATIONAL SCHOOL (AMENDED DOCUMENTS & PLANS RECEIVED): Temporary

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PLANNING POLICY:-

4.1 National Planning Policy Framework (2012)

- Requiring Good Design- Section 7 states that Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 14: Presumption in favour of sustainable development
- Paragraph 17: Core planning principles
- Paragraph 1 : building a strong competitive economy,
- Paragraph 4 : promoting sustainable transport
- Paragraph 8 : promoting healthy communities

4.2 Local Plan (2015)

- 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 States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- Policy CH3: Normal requirements of all New Development- All proposals for development in Crawley will be required to:
 - a) Be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context.
 - b) Be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale density height, massing, orientation, views, landscape, layout, details and materials.
 - c) Provide or retain a good standard of amenity for all existing and future occupants of land and buildings.
 - d) Retain existing individual or groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens that would not overshadowed by three canopies and proposals should ensure that rooms within buildings would receive adequate daylight.
 - e) Demonstrate how “Secure by Design” principles and guidance set out in the “secured by Design” design guidance have been incorporated into the development.
 - f) Meet the requirements necessary for their safe and proper use, in particular with regard to access circulation and manoeuvring, vehicle and cycle parking loading and unloading, and the storage and collection of waste.
 - g) In respect of residential schemes, demonstrate how the Building for Life 12 criteria (as amended) for the evaluation of the design quality of residential proposals have been taken into account and would be delivered through the scheme.
- Policy EC1: Sustainable Economic Growth state states that the Council will ensure that all suitable opportunities within the borough are fully explored to enable existing and new business to grow and proposer.
- Policy EC2: Economic Growth in Main Employment Areas states that proposals for employment generating development at the seven locations identified within the policy will be supported where they contribute to the specific characteristics of the main employment area, and overall economic function of the town, through providing a mix of employment generating uses.
- Policy EC3: Manor Royal states that development that is compatible with the area’s economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings.

4.3 Supplementary Planning Document (SPD)

- Urban Design Guide (2016) – this document sets out the Council’s parking standards.

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PLANNING CONSIDERATIONS:-

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

- the principle of the school use in this main employment area
- highway safety, access, and parking considerations
- the operational needs of the development
- design/appearance of the alterations and new works
- quality of the environment for occupiers of the school
- future uses of the site
- impact on landscaping and trees
- S106 requirements

The principle of the school use in this main employment area

5.2 Policy EC1 seeks to protect and enhance Crawley's role as the key economic driver in the Gatwick Diamond, enhancing the economic role and function of the main employment areas. The policy identifies an overall need for 57.9 hectares of business land in Crawley over the Plan period to 2030. As a result of Crawley's constrained land supply position, the available business land supply pipeline is only 23 hectares, resulting in a business land supply shortfall of 35 hectares over the plan period to 2030. This places particular importance on the need to promote and protect the available land supply for business uses, and the overarching policy position is therefore to retain the available supply of employment land for business use.

5.3 Local Plan Policy EC2 states that as a key economic driver in the sub-region, Crawley's main employment areas makes a significant contribution to the economy of the town and the wider area. Therefore Main Employment Areas are identified as a focus for sustainable economic growth, each of which has different character and function. Manor Royal is identified as a Main Employment Area, where this application site is located. The policy states that proposals would involve a net loss of employment floorspace in any Main Employment Area, will only be permitted where they are able to demonstrate the following:

- The site is no longer suitable, viable or appropriate for employment purposes, and
- The loss of any floorspace will result in a wider social, environmental or economic benefit to the town, and
- There is no adverse impact on the economic role or function of the Main Employment Area and wider economic function of Crawley.

5.4 A Planning Statement was provided in support of this application which outlines that the building remained vacant from 2009 to 2014, and considers that the site is no longer appropriate or viable to employment use. While the building was vacant this was in the height of the economic crisis and it is apparent now that the economy is more buoyant and there remains a significant need for business floorspace in Crawley. Furthermore the building did represent one of the few purpose built Grade A office building in Manor Royal. Given the significant demand for such an office building, within Manor Royal it is considered the building remains viable for employment use. Notwithstanding this, Policy EC2 relates to all forms of employment floorspace and not just business. The previous temporary permission supported 46 jobs, while this current application would increase this to 54 jobs. Having regard to the NPPF the proposed temporary use as a public/community use would constitute economic growth. It is therefore considered that the proposal complies with the requirements of Local Plan Policy EC2.

5.5 Local Plan Policy EC3 states that Manor Royal is the principal business location for Crawley and instrumental to the success of the wider Gatwick Diamond. The policy states that proposals that are not for B Use Class development will be permitted at Manor Royal if it can be demonstrated that they are of a scale and function that enhances the established role and business function of Manor Royal and would not undermine the business district.

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- 5.6 The application site is located within the heart of Manor Royal and would result in the loss of a purpose built office building, albeit for a temporary period. There remains a high demand for and a lack of business floor space within the district. The submitted Economic Statement explains that the Gatwick School have now operated from the site for three years and over this time have sought to encourage and put in place links with the business community, notably through mentoring programmes and work experience and participation in events such as STEMfest. Whilst it is accepted that this is at a general level given the relatively short time that the school has been open, a higher degree of detail about the relationships that have been established was expected, to update and build upon the information provided with the previous application. This information is required to demonstrate how the school is working to support the overall business function of Manor Royal. It should be noted that if a proposal for a permanent use were under consideration, then far greater detail and a robust argument would need to be made and substantiated about how the school use would be consistent with this main employment area. In this respect given the limited time the school has been in place, the increase in numbers (97) of students in comparison to the previously temporary permission and that the application would be temporary, and also would retain the buildings for B use in the future, it is considered to comply with policy EC3 of the Crawley Local Plan.

Highway safety/access/parking and sustainability considerations

- 5.7 Crawley's Local Plan Policy CH3 states that all proposal for development in Crawley will be required to meet the requirements necessary for their safe and proper use, in particular with regard to access, circulation and manoeuvring, vehicle and cycle parking loading and unloading. Policy IN3 states that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking networks. Furthermore the policy states that developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety. Development will be permitted unless the cumulative impact on the transport network is severe and cannot be satisfactorily mitigated.

Sustainability

- 5.8 The application site is located in Manor Royal, to the east of Gatwick Road, which is a busy highway with significant volumes of traffic. In addition, Tinsley Lane North and Wheatstone Close are heavily trafficked and extensively used for on street parking, which is, in the main, associated with the surrounding businesses and industrial uses that make up Manor Royal. The site is not in a residential area or neighbourhood and so there is no immediate pupil catchment area serving this school. Consequently most pupils live some distance from the site.
- 5.9 The updated figures submitted for the Travel Plan states that the data collected in September 2017 for mode share for primary school children is 3.9% for walking, 2.3% for bicycle, 15.2% for bus, 53.9% by car with parent, 24.5% by car share and 0.3% by park and stride. For secondary school the data is 2.8% by walking, 5.6% by bicycle, 40.3% by bus, 1.7% by train, 33.5% by car with parent, 14.7% by car share and 1.4% by park and stride. These figures are broadly similar to the predicted levels submitted as part of the previously approved temporary permission.
- 5.10 The submitted Transport Assessment states that 0% of primary and 15% of secondary pupils live within 2km of the school, with 71% of primary and 75% of secondary living within 5km of the school. The remaining pupils live outside of 5km from the school. The limited number of pupils who reside within a 2km distance of the school, and given the physical barriers to walking such as the nature of the A2011 (Gatwick Road), significant numbers of pedestrians are not anticipated nor is it considered this number would increase. In sustainability terms, this situation is not ideal and differs significantly from the usual arrangements in Crawley where schools are sited in appropriate locations to serve the local neighbourhoods and pupil catchment areas, allowing pupils the option of walking to school.
- 5.11 The heavy reliance on the private car is contrary to national planning advice and the policies in the Local Plan, all of which focus on sustainable development to serve local communities and the application seeks to increase in the number of pupils previously approved by the temporary planning

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permission. There has been a small increase in the number of pupils who live within 2km to the site and an increase in pupils traveling to the site by bus. Moreover it is essential to ensure that the development would be satisfactory from a highway safety point of view, in terms of the access, impact on the road network and the car parking arrangements. It is also necessary to consider whether any other arrangements or initiatives can realistically be used to effect a modal shift away from car use. These elements are considered in more detail below.

Access and impact on road network

- 5.12 The existing access arrangements are to be retained, with the entrance into the site from Tinsley Lane North and the exit being onto Gatwick Road. The volume of traffic associated with the school in this location on the network, has potential to conflict with existing traffic flows on the surrounding streets and could result in congestion and blockages, particularly at the morning peak period.
- 5.13 The maximum size of the school during this temporary period would be limited to 537 pupils (237 in primary and 300 in secondary) with 54 staff, compared with the previous temporary permission which was limited to 440 pupils and 47 staff. This is an increase of 97 pupils and 7 staff, in comparison to the previous temporary permission.
- 5.14 The school operates breakfast clubs and after school activities in order to stagger traffic flows to the school. These measures seek to lessen the impact of the additional traffic on the highway network at peak times, and to spread the volume of traffic. Core hours are 8.40am – 3.30pm for the primary school and 8.15am – 4.30pm for the secondary school. This is then augmented with an earlier start for a breakfast club of 7.45am and a later finish of 4.30pm (primary) for after school clubs and 6.00pm finish for child care. These measures would be required to continue throughout the 2017/18 academic year and can be secured via a condition.
- 5.15 Given the application is temporary, following receipt of revised information and subject to condition it is not considered that this further use with additional pupils and staff would adversely affect the road network and WSCC Highways have raised no objections. The travel plan would seek to reduce the reliance on the private car and encourage alternative modes of travel. Whilst options for pupils travelling by other modes would be limited, there is more scope in relation to staff travel in respect of walking, bus or cycling, and therefore these aims are more achievable. The measures outlined with the submitted Travel Plan should be secured by condition.

Parking

- 5.16 Parking standards are set out in Urban Design SPD for which schools are to be assessed individually within the context of a travel plan using 1 space per 2 staff as a guide. In this case as well as provision for staff, it is also considered that provision on-site needs to be made for parent parking, especially given the projected modal split with the vast majority of trips by private car and the lack of readily available on-street parking.
- 5.17 The school car park currently has 62 marked spaces in the main car park (of which 15 are for staff) and is accessed from Tinsley Lane. In addition there is additional parking to the rear which can be made available, but is currently used an extended playground area. The previous temporary application did envisage the use of the rear car park as pupil numbers increased over the 2 year period, but the school have advised that it has not been necessary and drop off and pick up can be achieved from the front parking area. The application also proposes 10 cycle spaces to the front of the application site. The application has been submitted with a Travel Plan, which outline the measures that have been introduced to change home to school travel patterns, reduce car travel, reduce congestion and improve road safety conditions and pupil safety within the school grounds.
- 5.18 The Travel Plan states that the school currently operates a rota of supervision for the car park and entrances to the building in the morning and afternoon during drop-off and collection of pupils. This includes monitoring bus stops and assisting children crossing Gatwick Road safely. The school will maintain its 'kiss and drop' scheme which takes place for older children on the access road through

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the main car park. Up to 10 vehicles can park on the access road for 'kiss and drop'. Set down by mini-bus and coach takes place on the internal access road outside of drop off and pick up times.

- 5.19 The Travel Plans builds upon the previous temporary permission in terms of managing the parking demands for the school at different times during the day, particularly given the constrained site. WSCC Highways have considered the submitted information and following amendments to the Travel Plan, they have no objections. Given the previous temporary permission, the small increase in the number of pupils and details outlined with the travel report, it is considered that for this temporary period there would be sufficient parking and the operation of the car park management plan is essentially a matter for the school to manage.

The operational needs of the development

- 5.20 The site has an area of 1.2 ha with the offices having a building footprint of 6400 sqm with an existing 185 spaces for car parking. Prior to the school use of the building, the previous employment (office) use of the land operated with these buildings, the associated access and car parking arrangements, which for an office use in this location was satisfactory.
- 5.21 However, a school's needs are different to the previous office use and the characteristic of a good development is that it can satisfactorily incorporate and accommodate the operational needs of that particular user. In particular, schools have specific access and parking requirements for pupils, parents, staff and deliveries, as assessed above. Furthermore, schools need to provide suitable outdoor space and provide for play and sports activities.
- 5.22 Since the previous temporary permission there has been a large amount of investment into the facilities at the school and the school has fitted out and moved into the second building (building A). Both buildings now have a range of facilities and class rooms covering the wide spectrum of academic subjects. With regard to PE lessons, as with the previous temporary permission, these are taking place on-site for primary pupils, in the Hall/Assembly/Dining space on the ground floor of Block B. All secondary age pupils have PE lessons off-site at K2 and Southgate Playing Fields. The pupils are transported to these locations via coaches. There is no specific on-site coach/bus provision proposals, such as a bus lane or designated bay, so the coaches wait in the internal access road at the front of the site.
- 5.23 With regard to playground space, there is an area to the north of the building, which was approved previously for reception pupils measuring 244 m², an area to the south of the building for Infants (260m²) and the remainder of this rear parking area is used as a flexible parking/ playground area. This area allows the school further parking on occasions when there are open days or school plays. The large majority of these playground areas are hard standing, with little green space or features you would normally expect within a playground.
- 5.24 As with the previous temporary permission concerns remain that some PE lessons would need to be provided off-site and the hard play facilities are limited, and this continues to be an indication of the mismatch between the nature of the development proposed and the physical site area and its characteristics. However a material consideration is the limited scale of the school proposal and that it would for a further one year temporary period only and for 97 additional pupils. Therefore it is considered that in these circumstances the application as proposed is acceptable on this short term basis and would cater for the operational needs of the school during this period.

Design/ appearance of the alterations and new works

- 5.25 There are no external alterations proposed to the building, there has been a general refurbishment of the external of the building and the internal alterations to create the classrooms and other school facilities. It is considered that the visual impact of the scheme is acceptable, and has provided an improvement over that of the previous condition of the building when it was vacant.

Quality of the environment for the school

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- 5.26 The site lies in an existing industrial/commercial area, which is subject to noise from surrounding uses, the existing roads and aircraft from Gatwick Airport. The predicted 66dB contour runs along the southern boundary of the site and the predicted 69dB contour runs just north of Tinsley Lane on the northern boundary of the site. The eastern end of any potential second runway would terminate on what is now James Watt Way, which is only about 350 metres to the north of this site. The contours are the latest published contours by the CAA (ERCD0308) and are the accepted contours for the proposed wide-spaced second runway. Even though the proposed runway has not been finally agreed, it has been accepted by the Planning Inspectorate to assume it is likely to go ahead when considering sound insulation for new noise sensitive premises.
- 5.27 This application is for a small increase in the number of pupils over the previous temporary permission, for a further year. In this context it is considered that it would be unreasonable to request such longer term works for noise mitigation measures in respect of this temporary period.

Impact on trees and landscaping

- 5.28 There are a number of preserved trees at the front of the site along the boundary with Tinsley Lane North. The Arboricultural Officer has no objections to the scheme. Given the application does not propose any external alteration to the building it is not considered it would have a harmful impact upon nearby trees.

CONCLUSIONS:-

- 6.1 Development Plan policies support the provision of new educational facilities and there is a need for additional school places in the town. However, such provision needs to be in the right place, in a sustainable location and suitable environment, the scale of the proposal needs to be satisfactory and relate to the character of its surroundings and highway safety should not be compromised.
- 6.2 This application seeks for a further year and an increase in the number of pupils over the previous temporary permission. The current application would be limit pupils to 537 (237 in primary and 300 in secondary) with 54 staff, compared with the previous temporary permission which was limited to 440 pupils and 47 staff. Given the previous temporary permission and that the application would be for a further temporary period, it would retain the use of the building as a B use after this period. It is considered the impact on the character and business function of the area and the associated traffic flows and parking requirements are considered to be at an acceptable level and satisfactory for a temporary period.
- 6.3 It is therefore recommended that permission be granted for a further year temporary period as set out below.

RECOMMENDATION RE: CR/2017/0596/FUL

PERMIT – subject to the following conditions:

1. The use(s) of land/building(s) hereby permitted shall be discontinued permanently and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending 31st July 2018.
REASON: The Local Planning Authority would not normally grant permission for such a development in this location but under the circumstances prevailing it is considered reasonable to make an exception in this instance and to allow the development for a limited period.
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.

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3. The school hereby permitted shall operate with a maximum number of 537 pupils, comprising 237 primary pupils and 260 secondary pupils, as set out in the application.
REASON: To control the operation of the school in the interests of highway safety, the character and function of Manor Royal as a main employment area and to provide a suitable level of development for the site, in accordance with policies SD1, CH3, EC1, EC2, EC3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.
4. The development hereby approved shall be carried out in accordance with the Travel Plan Ref 2671/046/R05C dated July 2017 and document titled "Reponses to WSCC Highways Comments dated 21 August 2017" unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of highway safety, to reduce the need for private car travel to the school and to encourage and promote sustainable transport, in accordance with policies SD1, CH3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.
5. The staggered timetable as set out in the approved Travel Plan document shall be implemented and operated for the remaining period of this permission.
REASON: To control the operation of the school in the interest of highway safety and the character and function of Manor Royal as a main employment area, in accordance with policies CH3, EC2, EC3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.

1. NPPF Statement

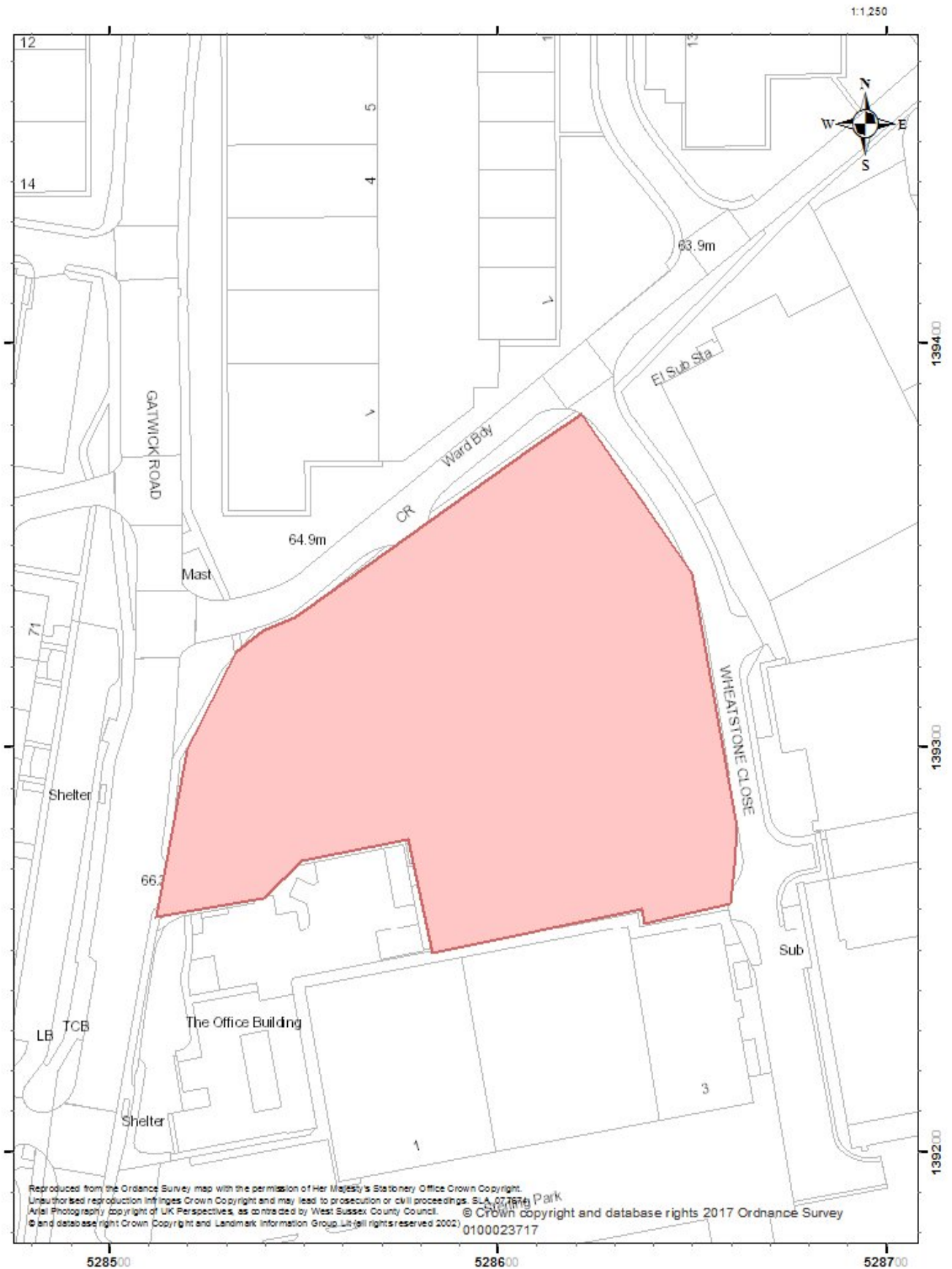
In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:

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

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

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



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 4 December 2017
REPORT NO: PES/242(C)

REFERENCE NO: CR/2017/0762/RG3

LOCATION: HASLETT AVENUE EAST AND LAND ADJACENT COUNTY MALL, CRAWLEY

WARD: Northgate

PROPOSAL: UPGRADE OF THE EXISTING FOOTPATH CLOSE TO THE JUNCTION WITH COLLEGE ROAD ALONG COUNTY MALL TO A SHARED PEDESTRIAN AND CYCLE PATH IN ORDER TO CREATE A CONTINUOUS LINK TO THE EXISTING TOUCAN CROSSING AT THE JUNCTION. THIS SHORT LENGTH AREA WILL BE UPGRADED TO A 3.5M WIDE SHARED PATH. (AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 28 November 2017

CASE OFFICER: Miss D. Angelopoulou

APPLICANTS NAME: Crawley Borough Council

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

PL21, Rev A04, Site Plan;
PL22, Rev A04, Land Ownership;
PL23, Rev A04, Existing Layout;
PL24, Rev A07, Proposed Layout.

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | |
|--|---|
| 1. WSCC - Highways | No objection subject to conditions. |
| 2. CBC - Property Division | No objection. |
| 3. CBC - Planning Arboricultural Officer | Following additional information/explanation on new surfacing within RPA, no objection is raised. |
| 4. Cycle Forum | No objection but comments: <i>'Where an end of route sign is used because the route changes direction, it should be clearly signposted which way the route goes. The new path should be signed as shared use from both directions.'</i> |

NEIGHBOUR NOTIFICATIONS:-

The application has been advertised by several site notices displayed within the application site on 6th October 2017.

RESPONSES RECEIVED:-

No responses have been received.

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant.

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THE APPLICATION SITE:-

- 1.1 The application site is a section of a mixture of tarmac and block paved footpath, railings, hedge and grass verge that extends from the exit of County Mall car park to the existing toucan crossing at the junction with College Road. A small part of Memorial Gardens is also part of the application site.
- 1.2 The application site is relatively level and is mainly highway land but a small part to the north of application site (Memorial Gardens) is Crawley Borough Council's land. There is an existing toucan crossing at the eastern end of the site area which provides access to College Road and existing cycle networks to the east.
- 1.3 There are several mature trees within the application site and adjacent to its northern and eastern boundaries. According to the Council's TPO records (reference: 16.6.19), within the application site are four protected trees: two oak trees to the western grass verge, one lime tree to the south and one poplar tree to the north-east. During the site visit on 06/10/2017, it was noted that the lime tree protected by TPO has already been removed from the site and there is only the stump of the tree remaining, next to the existing toucan crossing. There are also a lime tree to the south-east, and hedgerows to the east and west along the grass verges.
- 1.4 The site lies within the Town Centre Boundary. Memorial Gardens, which is part of the application site, is designated as an Historic Park and Garden. The site is also Structural Landscaping as set out in Policy CH7 of the Crawley Borough Local Plan 2015-2030.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposal seeks to create a continuous surface for both cyclists and pedestrians from the shared footpath along north of County Mall/south of Memorial Gardens to the existing toucan crossing at the junction with College Road to provide a link to the designated cycle routes to the east of College Road. This small section, close to the junction with College Road, is currently not classified as shared surface and is perceived as a problem area for cyclists. Part of the grass verge is heavily used and the grass is worn away, indicating that the priorities and routes for pedestrians and cyclists are unclear in this area. The proposal would thus improve the existing cycle facilities to the south of Memorial Gardens through the Town Centre and improve and clarify the route for pedestrians in this locality.
- 2.2 The layout of the footway close to the toucan crossing would be amended by creating a shared pedestrian and cycleway area. In particular, the proposal would include the following works:
 - Following the removal of a small section of beech hedgerow (north), central grassed area, flag pavers of the footway (west) and the metal railings (middle of site), a new footway/cycleway of at least 3.5m in width would be provided from west to the east with asphalt. The existing levels to this part would be lowered to enable the widening of the footpath. It should be noted that the protected lime tree, shown on plans as 'to be removed from WSCC', has already been removed.
 - A new area of soft landscaping and metal railings would be provided along the border with the highway to the south to help prevent pedestrians and cyclists crossing before the toucan crossing.
 - Provision of a new bollard with signs to indicate shared facility/end of route as applicable.
 - Installation of additional tactile paving (buff corduroy) to the east of the footway.
 - Upgrade of existing road markings with white colour.
- 2.3 During the course of the application, amended plans have been received adding a blue line around Memorial Gardens (owned by Crawley Borough Council), showing 6 new replacement trees and clarifying some key signs on the plans and legend.
- 2.4 The following documents have been submitted in support of the application:
 - Design and Access Statement.

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- Stage 1/2 Road Safety Audit – Designer’s Response.
- Arboricultural Impact Assessment
- Arboricultural Method Statement.

PLANNING HISTORY:-

3.1 There is no relevant planning history for this site.

PLANNING POLICY:-

National Planning Policy Framework (2012) (NPPF)

- 4.1 The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. More specifically:
- Paragraph 14 – Presumption in favour of sustainable development. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
 - Paragraph 17 – Core planning principles. Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
 - Section 4 – Promoting sustainable transport. Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people.
 - Section 8 – Promoting healthy communities. Paragraph 75: Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks.

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

4.2 The relevant policies include:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH2: Principles of Good Urban Design in order to assist in the creation, retention or enhancement of successful places. Development proposals will be required among others to create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society, including disabled and elderly people; make places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport networks; and to provide recognisable routes, intersections and landmarks to help people find their way around.
- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context; be of a high quality urban design in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings; not cause unreasonable harm to the amenity of the surrounding area; retain existing individual or groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity; and be able to meet its own operational requirements necessary for the safe and proper use of the site. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
- Policy CH6: Tree Planting and Replacement Standards. Where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced in order to mitigate for the visual impact resulting from the loss of the tree canopies.
- Policy CH7: Structural Landscaping requires that development proposals should protect and/or enhance structural landscaping, which is within the application site.

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- Policy CH17: Historic Parks and Gardens. Memorial Gardens is designated as an Historic Park and Garden and the council will support development, unless it will have a negative impact upon the historic setting and character of the designated Historic Park or Garden.
- Policy ENV1: Green Infrastructure. Crawley's multi-functional green infrastructure network will be conserved and enhanced through various measures including: i. development that protects and enhances green infrastructure will be supported, and v. proposals should maximise the opportunity to maintain and extend green infrastructure links to form a multi-functional network of open space, providing opportunities for walking and cycling.
- Policy IN3: Development and Requirements for Sustainable Transport. Developments should not cause an unacceptable impact in terms of increased traffic congestion or highway safety.

Supplementary Planning Documents (adopted October 2016)

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

Urban Design SPD 2016:

- 4.3 The SPD contains guidelines on the standards the Council expects for the public design highlighting in particular the importance of massing and materials, public realm, street design and parking and sustainable design. In particular, it states that:
- *'A good public realm should be human in its scale and respond to people's needs, while stimulating the senses. It should encourage a variety of activities and uses, whilst providing through routes and clear connections for pedestrians and cyclists alike.'*
 - *Effective street layout and design should encourage walking and cycling and recognise that pedestrians should be prioritised.*
 - *Care should be taken when making improvements to streets and the public realm that elements such as 'shared space' will not have a negative impact on vulnerable users. 'Shared surface', where kerbs are removed from the street completely, can have a detrimental impact to visually impaired individuals navigating the street. Therefore, it is important to understand the difference between 'shared space' and 'shared surface' and make sure the design is considerate to all users.*
 - *Street signage should be used to help with the legibility of a place and with way-finding.'*

Green Infrastructure SPD 2016:

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

PLANNING CONSIDERATIONS:-

- 5.1 The main planning issues in the determination of this application are:
- The principle of development
 - The impact on the visual amenity & streetscene
 - The impact on highway and users of the pavement
 - The impact on existing trees and hedgerows

The principle of development

- 5.2 The proposed development would create a continuous surface and link for both cyclists and pedestrians, providing a new cycle route between the existing shared surface to the north of County Mall/south of Memorial Gardens and designated cycle routes to the east of College Road. Policies CH2 and ENV1 clearly state that development proposals will be required to make places that connect with each other and are easy to move through, and to provide recognisable routes and intersections to help people find their way around. The proposal would extend the links to provide opportunities for walking and cycling and the principle of the development is therefore supported in accordance with the relevant Local Plan Policies and the NPPF.

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The impact on the visual amenity & streetscene

- 5.3 The main works of the proposed development would include a new footway/cycleway of at least 3.5m in width to be provided from west to the east with asphalt. This would be facilitated following the removal of a small section of beech hedgerow to the north, flag pavers of the footway to the west and metal railings within the middle of site, and reduction in size of the central grassed area. The protected lime tree (tree T5), shown on plans as '*to be removed from WSCC*', has already been removed as noted on site. As stated on the submitted Arboricultural Impact Assessment, the tree needed removal because its crown partially obscured the traffic lights and to facilitate the development. It should be noted that the tree was on highway land and the Highway Authority can undertake works to trees in the interests of road safety, under their highways powers.
- 5.4 Policy CH6 requires that where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced, based on the trunk diameter of each tree, in order to mitigate for the visual impact resulting from the loss of the tree canopies. Local Plan Policy CH7 also states that development proposals should protect and/or enhance structural landscaping, which is partially within the application site.
- 5.5 The removal of the protected lime tree would require 6 new replacement trees under Policy CH6. An amended plan has been received showing one new tree within the highway verge to the east and five new trees within Memorial Gardens, owned by Crawley Borough Council. It is therefore considered that the replacement trees would help to offset the impact of the loss of the mature lime tree on the visual amenity of the area. A new area of soft landscaping along with metal railings are also proposed to the south-west to improve the impact on visual amenity and streetscene. Overall, it is considered that, given the replacement trees and new soft landscaping area, the works would not have a detrimental visual impact on the character of the area and are therefore acceptable in this regard.
- 5.6 A new bollard with signs to indicate shared facility/end of route and additional tactile paving (buff corduroy) to the east of the footway would also be provided. It is considered that the sign and tactile paving would not harm the visual amenity, but they would increase the safe use of the shared surface between pedestrians and cyclists and therefore are considered acceptable.
- 5.7 To conclude, the proposal would therefore comply with relevant Local Plan Policies and the NPPF, however two conditions are recommended to ensure implementation of the proposed planting of the new trees and soft landscaping.

The impact on highway and users of the pavement

- 5.8 The footpath to the west would be widened to be more than 3.5m in width to allow a shared surface for pedestrians and cyclists which would create a continuous link between the existing shared surface to the north of County Mall/south of Memorial Gardens and designated cycle routes to the east of College Road. The Highway Authority were consulted and advised that they raise no objection to the application. However, they comment on the need for a condition for a construction management plan and the ponding issue raised in the Road Safety Audit – Designer's Response document, which could lead to hazardous conditions in wet and icy conditions. Details of the levels of the surface are required to ensure this does not occur. It is considered that this issue could be covered through the Section 278 legal agreement which would need to be entered into prior to commencement of development and this would also cover the issues raised by WSCC regarding the type of tactile paving used.
- 5.9 The Cycle Forum commented on the application by stating that the new path should be signed as shared use from both directions. These comments have been addressed on the amended plans which show 'shared surface' signs and 'end of route' signs.

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- 5.10 The proposal is therefore considered acceptable from a highway perspective and would accord with the relevant Local Plan Policies.

The impact on existing trees and hedgerows

- 5.11 According to the Council's TPO records (reference: 16.6.19), within the application site are four protected trees: two oak trees to the western grass verge, one lime tree to the south and one poplar tree to the north-east. There are also a lime tree to the south-east, and hedgerows to the east and west along the grass verges.
- 5.12 The proposal would require the removal of the protected lime tree (T5 on plans that has already been removed) and a small section of the beech hedgerow to the north-west of the site. According to the submitted Arboricultural Impact Assessment, no additional pruning beyond the above tree/hedgerow clearance works would be required to facilitate the proposed improvements. A section of existing grass area would be removed to the west and existing levels would be lowered to allow the widening of the footway to 3.5m. The amended details show the planting of 6 replacement trees to compensate for the loss of the lime tree.
- 5.13 With regard to the other trees, the proposed site layout involves construction of new permanent hard surfacing areas within the root protection areas of T1, T2 (two protected oak trees) and T4 (one protected poplar tree). These surfaces cannot be of a no-dig design, however a root investigation has been undertaken to ensure the excavation would be feasible without damaging the two large oak trees. The applicant also submitted an Arboricultural Method Statement in support of the application, which states a series of measures to ensure the protection of all retained trees within the site. These measures include: providing construction exclusion zones and installing tree protection fencing, avoiding the storage and handling of harmful chemicals in proximity to trees, providing a suitable location for site cabins, contractor parking and site facilities for operatives in agreement with the project arboriculturalist during a pre-commencement meeting, and all soil stripping within the areas highlighted pink on the Tree Protection Plan to be undertaken by hand.
- 5.14 The Council's Arboricultural Officer raised no objection to the proposal and requested some clarification regarding the new permanent surfacing area within the Root Protection Areas (PRA) for trees T1 and T2 and how this new surfacing area would be undertaken. The applicant's Arboricultural Consultant provided some photos and drawing from the trial holes undertaken at County Mall. This showed that *'although the works will be within the root protection zone of trees T1 and T2, the actual trial holes shows there are no roots within this region. Based on this information any resurfacing in the area would be acceptable as no roots were found.'* The Council's Arboricultural Officer confirmed that he is happy with that clarification. However, he stated that all works should be carried out in accordance with the measures set out in the Arboricultural Method Statement. It is therefore considered that subject to these requirements being conditioned, the proposed development would not have a detrimental impact on the existing protected trees and hedgerows and would thus would comply with Local Plan Policy CH3.

CONCLUSIONS:-

- 6.1 The proposal would provide a new cycle route between the existing shared surface to the north of County Mall/south of Memorial Gardens and designated cycle routes to the east of College Road, and would create a continuous link. This upgrade of shared surface is consistent with the Local Policies. Subject to conditions to ensure implementation of new replacement trees and soft landscaping, the works would have limited visual impact on the character of the area. In addition, the proposal would not have any adverse impact on highway safety and users of the existing pavement, and the impact on the existing protected trees and hedgerow can be controlled via condition. The proposal is therefore considered acceptable and would accord with the relevant Local Plan Policies, the Urban Design SPD, the Green Infrastructure SPD and the NPPF, and it is therefore recommended to permit this application.

RECOMMENDATION RE: CR/2017/0762/RG3

PERMIT - Subject to the following conditions:

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1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application unless otherwise agreed in writing by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. Any excavations carried out in the root protection area of any trees shall be carried out in accordance with the provisions laid out in BS 5837 : 2012 – Trees in relation to design, demolition and construction and the development shall be carried out in accordance with the submitted Arboricultural Method Statement (PJC ref: 4344-3/17-03) prepared by PJC Consultancy and dated 31st August 2017, and its associated tree protection plan (Drawing PJC/4344-3/17/C), including tree protection barriers, storage and handling of harmful chemicals, soil stripping for new surfaces, removal of existing tarmac surfaces and Arboricultural supervision.
REASON: To ensure the retention and maintenance of the protected trees and vegetation which are an important feature to the visual amenity of the area in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan 2015 - 2030.
5. No development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. The approved landscaping scheme shall provide for a minimum of 6 mature standard trees of an appropriate species and planted in an appropriate location within the layout as shown on the approved drawing PL24 RevA06 in accordance with the requirements contained within Policy CH6 and Green Infrastructure SPD to replace the removed tree.
REASON: In the interests of amenity and of the environment of the development in accordance with Policies CH3 and CH6 of the Crawley Borough Local Plan 2015 – 2030.
6. All planting, seeding or turfing, including the six new trees shown on drawing PL24 RevA06, comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with Policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030.
7. No development shall take place until a Construction Management Plan (plans and details) has been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.
REASON: In the interests of highway safety and the amenities of the area in accordance with Policies CH3 and IN3 of the Crawley Borough Plan 2015-2030.

INFORMATIVE(S)

1. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works and address the ponding issues and tactile

Agenda Item 7

surfacing design. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

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:

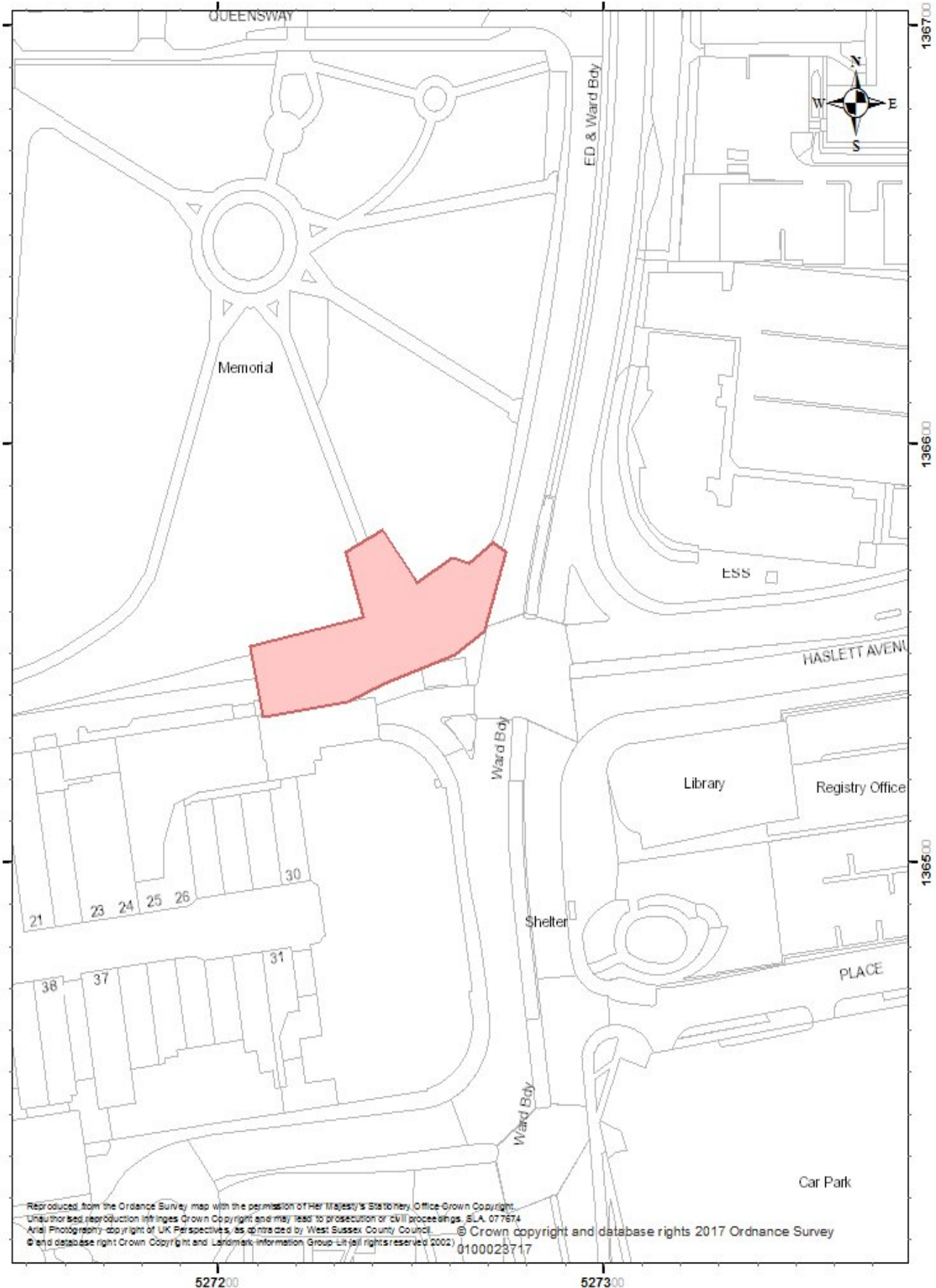
- Liaising with applicant and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans and additional information to address identified issues during the course of the application.

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

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Crawley, West Sussex, RH10 1UZ
Tel: 01293 438000

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Agenda Item 8

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 4 December 2017
REPORT NO: PES/242(d)

REFERENCE NO: CR/2017/0765/RG3

LOCATION: MANOR ROYAL (WEST OF CRAWTERS BROOK), NORTHGATE, CRAWLEY

WARD: Northgate

PROPOSAL: MANOR ROYAL CYCLE PATH SCHEME TO CONNECT CRAWTERS BROOK SHARED FACILITY WITH THE EXISTING CYCLE PATH ON MANOR ROYAL WHICH STOPS JUST BEFORE NEWTON ROAD THROUGH THE UPGRADE OF EXISTING PEDESTRIAN FOOTWAYS TO SHARED FACILITIES FOR PEDESTRIANS AND CYCLISTS

TARGET DECISION DATE: 28 November 2017

CASE OFFICER: Mrs J. McPherson

APPLICANTS NAME: Crawley Borough Council

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

13325-328 PL11, Rev A02, Site Location Plan;
13325-328 PL12, Rev A02, Land Ownership;
13325-328 PL13, Rev A03, Existing Layout;
13325-328 PL14, Rev A04, Proposed Layout.

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|---|---|
| 1. | WSCC - Highways | No objection subject to condition |
| 2. | Cycle Forum | Comments that the scheme will provide an important link between Crawters Brook path and the existing cycle route on the south side of Manor Royal. Proposed Newton Road crossing is an important element of the scheme. Emphasises need for clear signage and design incorporating continuous priority. |
| 3. | Manor Royal Business District | No comments received |
| 4. | CBC - Planning Arboricultural Officer - | No objection subject to conditions |

NEIGHBOUR NOTIFICATIONS:-

The application was advertised via several site notices posted along the route.

RESPONSES RECEIVED:-

No responses have been received.

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant.

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THE APPLICATION SITE:-

- 1.1 The application site is a section of footpath and grass verge extending along the northern side of Manor Royal from the roundabout with Gatwick Road for approximately 280m to just west of an existing pedestrian crossing. The pedestrian crossing itself is also part of the application site. Just west of the crossing an is the junction with an existing cycleway which joins Manor Royal to Woolborough Lane further to the south.
- 1.2 The site is relatively level and within the grass verge are 12 mature trees which run parallel with the footpath on the northern side of the road and are an important feature of the highway in this area providing a visual landscaped space between the footpath and the main road carriageway. None of the trees are protected by a TPO.
- 1.3 The site is within the Manor Royal Business District and the western section of the site is within an Air Quality Management Area.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposed development seeks to create a link between the cycle route which connects Woolborough Lane / Manor Royal and a section through Crawters Brook which is currently perceived as a problem area for cyclists. This will improve the north/south cycle network through Manor Royal. The works consist of the following:
 - Upgrade of existing signal controlled crossing and its traffic signals to a Toucan Crossing.
 - Provision of a new signal controlled zebra crossing over Newton Road for pedestrians and cyclists.
 - Creation of raised tables over the existing third party accesses on the northern side of Manor Royal to ensure a continuous level surface for pedestrians and cyclists.
 - Creation of a shared pedestrian / cycleway on the northern side of Manor Royal from the Toucan crossing to Crawters Brook. This involves replacement of the existing paving slabs with asphalt, installation of additional tactile paving and new signage.
- 2.2 The application was accompanied by the following supporting documents:
 - Design and Access Statement;
 - Stage 1 / 2 Safety Audit;
 - Arboricultural Impact Assessment;
 - Arboricultural Method Statement.

PLANNING HISTORY:-

- 3.1 There is no relevant planning history for this site however, there is a related application for improvements to cycle access at the northern end of Crawters Park at its entrance onto Fleming Way, reference CR/2017/0764/RG3 which is also linked with the national cycle route improvements associated with this proposal.

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PLANNING POLICY:-

National Planning Policy Framework

- 4.1 The National Planning Policy Framework (NPPF) was published in March 2012 and introduced the presumption in favour of sustainable development in approving developments that accord with the development plan without delay or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts or it would be contrary to the policies in the NPPF.
- 4.2 Paragraph 75 requires planning policies to protect and enhance public rights of way and access. Local Planning Authorities should to seek opportunities to provide facilities for users for example, adding links to existing rights of way networks.

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

- 4.3 Policy SD1 states that in line with the planned approach to Crawley new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- 4.4 Policy CH2 sets out the seven principles of good urban design. Development proposals will be required to assist in the creation, retention or enhancement of successful places in Crawley. Amongst other things development will be required to:
- (c) “create public spaces that are attractive, safe, uncluttered and which work effectively for all in society, including disabled and elderly people”,
 - (d) “make places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport networks” and,
 - (e) “provide recognisable routes, intersections and landmarks to help people find their way around”.
- 4.5 Policy CH3 requires all proposals to amongst other things, be based on a thorough understanding of the significance and distinctiveness of the site in its immediate and wider context, be of high quality in terms of urban, landscape, relate sympathetically to its surroundings, not cause harm to the amenity of the surrounding area, meet requirements for the safe and proper use of the site in particular with regard to access and circulation and to comply with all relevant Supplementary Planning Guidance.
- 4.6 Policy EC3 deals specifically with Manor Royal and development for changes of use, intensification or reuse of buildings however; it goes on to state that all development should contribute positively to the overall setting and environment of the Main Employment area as a business district through high quality design and landscaping in accordance with the Manor Royal SPD (MRSPD).
- 4.7 Policy ENV1 states that Crawley’s multi-functional green infrastructure network will be conserved and enhanced. It states that “development that protects and enhances green infrastructure will be supported” and “proposals should maximise the opportunity to maintain and extend green infrastructure links to from a multi-functional network of open space, providing opportunities for walking and cycling....”
- 4.8 Policy ENV12 – Air Quality states that development proposals that do not result in a material negative impact on air quality will normally be permitted.

Manor Royal SPD July 2013

- 4.9 This document aims to support economic growth in Manor Royal, providing guidance to ensure new development makes a significant contribution to the uplift of the area and secures delivery of high quality development which supports the key business function. Two of the 4 ‘General Design Principles set out in the document requires development to:
- “Demonstrate how the development increases movement and permeability through the business district by improving accessibility to the sustainable transport network” and,
 - “Demonstrate how development assists in wayfaring and orientation within the business district and contributes towards strengthening its identity”.

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- 4.10 The document seeks to enhance and improve green links and connections to the wider footpath and cycle networks. It encourages improvements to enhance and extend the local cycle network and encourage sustainable modes of travel.

PLANNING CONSIDERATIONS:-

- 5.1 The principle of the development is supported as set out in the policies listed in Section 4 above. The proposal would improve pedestrian and cycle links in the area, providing a new cycle route on the northern side of Manor Royal connecting into existing sections of the cycleway network. Furthermore, the crossing improvements would provide safe and convenient points of access for pedestrians and cyclists to cross Manor Royal and Newton Road. The other key considerations are:

- Impact on visual amenity
- Impact on highway and other highway users
- Impact on nearby trees

Visual amenity

- 5.2 The proposed works would have a limited impact on visual amenity, the most noticeable change would be the additional zebra crossing over Newton Road. The other alterations would be some additional signage and change to the pavement surfacing. The trees along the northern side of Manor Royal would require their crowns lifting to allow greater clearance for cyclists, this impact is addressed later in the report. Overall, it is considered the works would have limited visual impact on the character of the area and are therefore acceptable in this regard.

Impact on the highway and other highway users

- 5.3 WSCC Highways have considered the submitted road safety audit and are satisfied with its content. The highway engineers have raised concerns about the buildability of the raised table junctions across the side access points and drainage requirements however, it is considered that these detailed points can be covered via a condition.
- 5.4 There are also queries about the tactile paving proposed and that the proposed crossing point design will need to go through a consultation procedure as the design is new to West Sussex. These are matters for the applicant to resolve with WSCC prior to commencement subject to planning permission being granted.

Impact on nearby trees

- 5.5 While the paths along the proposed cycleway are not proposed to be widened, the proposed paving slabs would be replaced with asphalt and the Arboricultural Impact Assessment identifies that this would encroach into the root protection areas of 3 trees along the northern side of Gatwick Road. The condition of the paving along this section of the road also indicates that there are a number of roots beyond the tree protection area that are pushing up under the pavement. Other sections of the pavement will be repaired as necessary using the existing sub base.
- 5.6 The submitted Arboricultural Method Statement identifies measures to safeguard the trees including the root protection areas must be left free from disturbance, tree protection fencing to create construction exclusion zones and a method statement for resurfacing. All works are proposed to be undertaken under arboricultural supervision.
- 5.7 The Council's Arboricultural Officer agrees with the recommendations in the Method Statement but also comments that damage could occur to the lower canopy branches of the trees during construction as there is relatively low ground clearance for machinery. An additional condition is recommended to address this concern.

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CONCLUSIONS:-

- 6.1 The proposed works are considered to improve pedestrian and cyclist access along this section of Manor Royal and are consistent with the objectives of the Local Plan and Manor Royal SPD which supports improvements to connectivity and access in particular in relation to sustainable modes of transport. The works are visually acceptable and have no negative impacts on highway safety and the impact on nearby trees can be controlled via condition. It is therefore recommended to permit this application.

RECOMMENDATION RE: CR/2017/0765/RG3

PERMIT – Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application unless otherwise agreed in writing with the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
3. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the proposed foot/cycle way crossings at the private accesses. The development shall thereafter be implemented in accordance with the agreed details.
REASON: In the interests of road safety and to ensure adequate drainage in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No development shall commence until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority in a Construction Management Plan showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.
REASON: To avoid undue congestion of the site / obstruction to accesses and in the interests of visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. Any excavations carried out in the root protection area of any trees shall be carried out in accordance with the provisions laid out in BS 5837 : 2012 – Trees in relation to design, demolition and construction and the development. All works in connection with this permission shall be carried out in accordance with the details set out in the Arboricultural Method Statement (ref 4344-2/17-03) prepared by PJC Consultancy and its associated tree protection plan (Drawings PJC/4344-2/17/C sheets 1 of 3, 2 of 3 and 3 of 3) including tree protection barriers, storage and handling of harmful chemicals, soil stripping for new surfaces, removal of existing surfaces and under Arboricultural supervision.
REASON: In order to protect the health of nearby trees in the interests of visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. Prior to the commencement of development, the applicant shall agree in writing with the Local Planning Authority a scheme of works to selectively crown lift the lowest branches of the trees on the northern side of Manor Royal which overhang the footpath to allow for adequate clearance for any plant that may be needed in connection with the construction works and for future cyclists. The tree works shall be carried out prior to any footway works being undertaken.

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REASON: To safeguard the health and amenity of the trees which are visually important to the street scene of Manor Royal in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE(S)

1. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

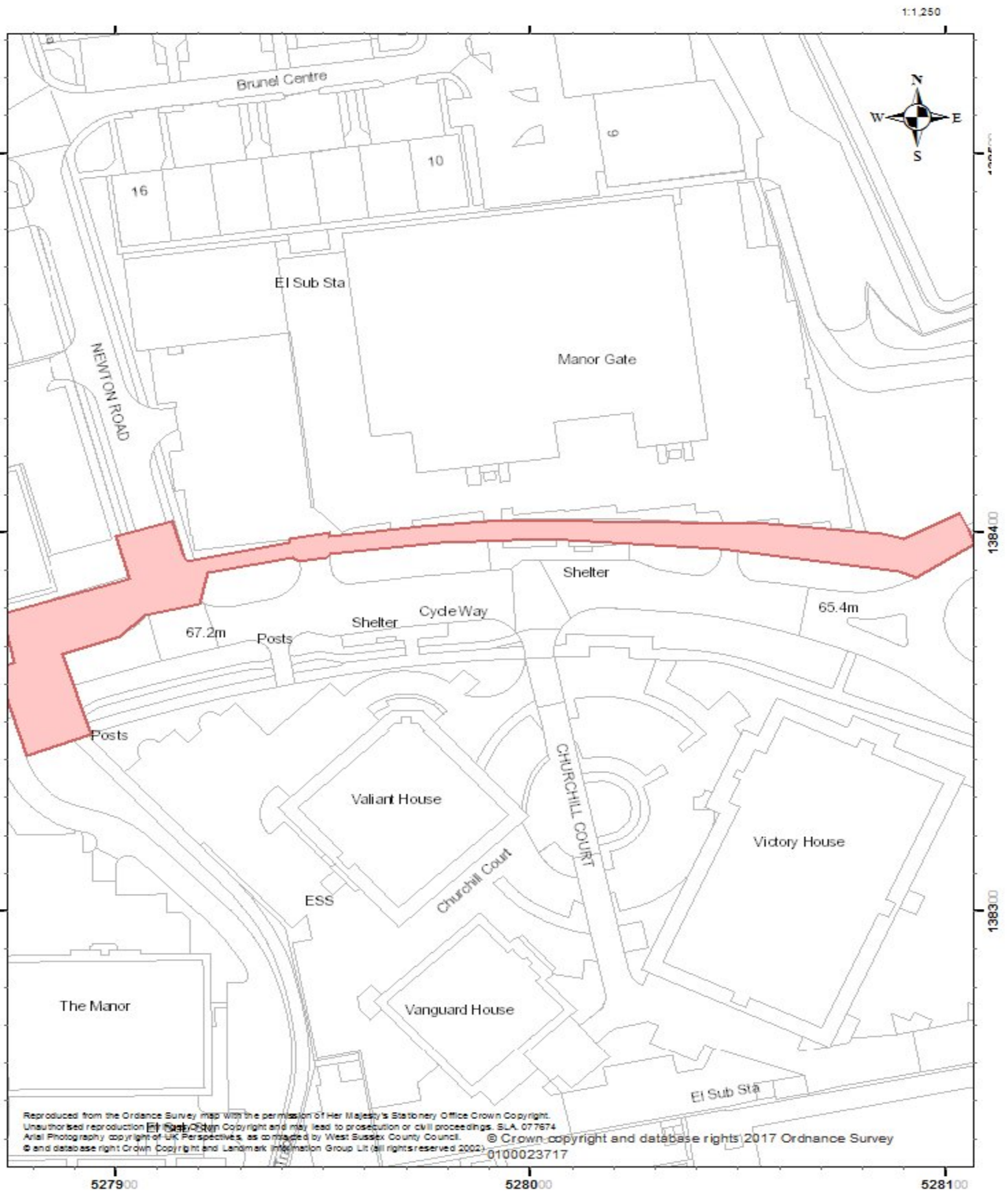
1. NPPF Statement

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 8

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Agenda Item 9

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 4 December 2017
REPORT NO: PES/242(e)

REFERENCE NO: CR/2017/0813/FUL

LOCATION: MILTON MOUNT, MILTON MOUNT AVENUE, POUND HILL, CRAWLEY
WARD: Pound Hill North
PROPOSAL: ERECTION OF EXTERNAL SUPPLY PIPES TO ALL EXISTING FLATS. VERTICAL PIPEWORK TO BE 63MM DIAMETER WITH HORIZONTAL SPURS

TARGET DECISION DATE: 16 November 2017

CASE OFFICER: Mr D. Power

APPLICANTS NAME: Crawley Borough Council
AGENTS NAME: GWP Architects

PLANS & DRAWINGS CONSIDERED:

16-136-01a, Existing Elevations and Part Plans;
16-136-02b, Proposed Elevations and Part Plans;
16/136/LP01, Location Plan;
16/136/LP01, Block Plan A1.

CONSULTEE NOTIFICATIONS & RESPONSES:-

None

NEIGHBOUR NOTIFICATIONS:-

Four site notices were displayed around the site.

RESPONSES RECEIVED:-

None

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant.

THE APPLICATION SITE:-

- 1.1 The application site is located within Milton Mount to the west of Balcombe Road. To the west of the application site lies the designated Historic Park and Garden of Worth Park (Local Plan Policy CH12 and CH17) and an area of Structural Landscaping (Local Plan Policy CH7). The application building is an eight storey residential block of flats that was constructed in the 1960's and currently has 146 self-contained flats.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application seeks full planning permission for the installation of external gas supply pipes finished in black to all existing flats. The proposed pipework would be 63mm in diameter.

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PLANNING HISTORY:-

- 3.1 CR/2016/1016/FUL: ERECTION OF 19NO 250MM WIDE METAL DUCTS HOUSING NEW GAS SUPPLY PIPES TO ALL EXISTING FLATS. RISERS TO HAVE 125MM HORIZONTAL SPUR DUCTS: Permitted: 27/02/2017
- 3.2 CR/2015/0739/ADV: ERECTION OF 12 INFORMATION AND DIRECTIONAL SIGNS: Permitted 04/01/2016
- 3.2 CR/2002/0591/RG3: ALTERATION OF GRASSED AREA TO PROVIDE 22 ADDITIONAL PARKING SPACES TO ENABLE REFUSE AND EMERGENCY SERVICE VEHICLE ACCESS: Permitted 16/12/2002

PLANNING POLICY:-

National Planning Policy Framework 2012 (NPPF)

- 4.1 Requiring Good Design- Section 7 states that Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 4.2 Paragraph 14: Presumption in favour of sustainable development

Crawley Borough Local Plan (2015-2030)

- 4.3 Policy CH3: Normal requirements of all New Development- All proposals for development in Crawley will be required to:
 - a) Be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context.
 - b) Be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale density height, massing, orientation, views, landscape, layout, details and materials.
 - c) Provide or retain a good standard of amenity for all existing and future occupants of land and buildings.
 - d) Retain existing individual or groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens that would not be overshadowed by tree canopies and proposals should ensure that rooms within buildings would receive adequate daylight.
 - e) Demonstrate how “Secure by Design” principles and guidance set out in the “secured by Design” design guidance have been incorporated into the development.
 - f) Meet the requirements necessary for their safe and proper use, in particular with regard to access circulation and manoeuvring, vehicle and cycle parking loading and unloading, and the storage and collection of waste.
 - g) In respect of residential schemes, demonstrate how the Building for Life 12 criteria (as amended) for the evaluation of the design quality of residential proposals have been taken into account and would be delivered through the scheme.
- 4.4 Policy CH7: Structural Landscaping: Areas of soft landscape that make an important contribution to the town and its neighbourhoods, in terms of character and appearance, structure, screening or softening, have been identified on the Local Plan Map. Development proposals that affect this role should demonstrate the visual impact of the proposals and should protect and/or enhance structural landscaping, where appropriate.
- 4.5 Policy CH12: Heritage Assets states that 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 are not lost as a result of development.

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- 4.6 Policy CH17: Historic Parks and Gardens: Supports development unless it will have a negative impact upon the setting and character of the designed Historic Park or Garden.

Supplementary Planning Document (SPD)

- 4.7 Urban Design SPD: States that it is of great importance that the design of the alteration is considered and is of good quality.

Development should incorporate materials and colours that match the existing or, where appropriate, contrast with it. If planning permission is granted for a development, the conditions laid out in the permission often detail any necessary steps required regarding materials and finishes.

PLANNING CONSIDERATIONS:-

- 5.1 The main considerations for this application are:
- Design and appearance of the proposal and impact on character of the area.

Design and appearance of the proposal

- 5.2 The existing internal gas risers and supply that were installed when the flats were built are now starting to corrode and therefore need to be replaced. Under The Gas Safety Regulations 1998 any new gas riser proposed within an existing building has to be installed in a self-contained fully ventilated space. Due to the construction of the building it is not possible to provide a self-contained ventilated duct from point of entry in to the building to each individual property internally. Therefore an external supply has to be provided.
- 5.3 This application seeks to install an external gas riser pipes measuring 63mm in diameter and finished in black to all existing flats. A previous application (CR/2016/1016/FUL) as granted to encase pipes in a metal casing. To allow for better maintenance of the pipes, the metal casing is not to be installed and hence this application is for the piping only. There would be nine vertical pipes on each side of the building housing the main supply with smaller horizontal sections leading to the flats. All the piping would be finished in matt black colour, which could be controlled by condition.
- 5.4 The building is of a design of its time, with a regimented window patterns and distances. The proposed piping would be located after every fourth window and be run vertically up the building which would reinforce the character of the building. The pipe work is narrower than the previously approved metal ducting. Subject to a condition controlling the colour of the pipes, it is considered that the proposal would not have an adverse impact on the visual appearance and character of the property.
- 5.5 Given the scale of the works proposed in comparison to the existing building and the distance from the Historic Park and Gardens and the area of Structural Landscaping, is it considered that the proposal would not have an adverse impact on the character and setting of the Historic Park and Garden or on the area of Structural Landscaping.

CONCLUSIONS:-

- 6.1 It is considered that the development would not harm the character of the original building or of the surrounding area. Given the requirements of the gas legislation and the construction of the existing building it is considered that the proposal works are acceptable and accord with policies CH3, CH7, CH12, and CH17 of the Local Planning and with the Urban Design SPD.

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RECOMMENDATION RE: CR/2017/0813/FUL

PERMIT –Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The pipes hereby approved shall be finished in matt black unless other approved in writing by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

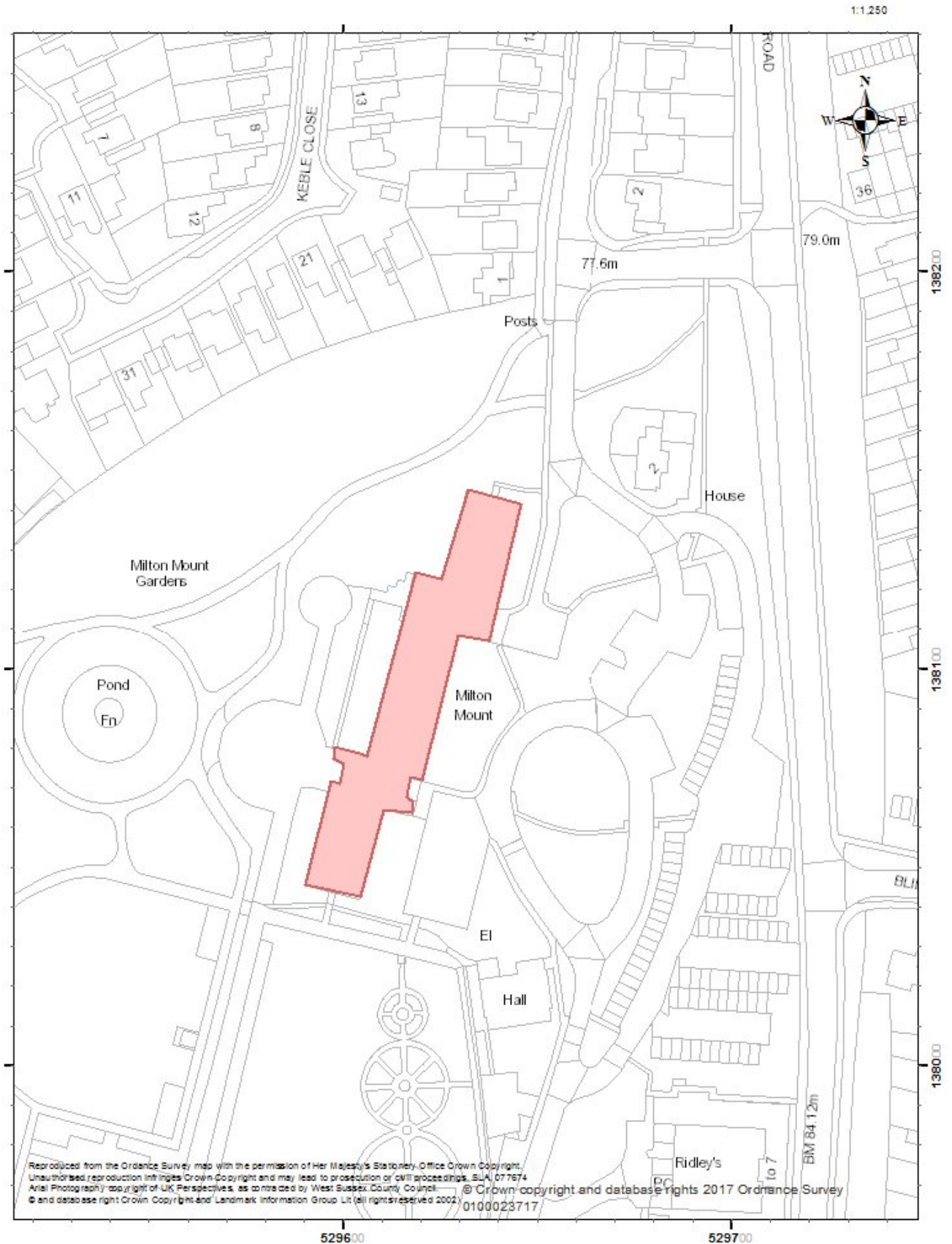
1. NPPF Statement

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 9

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Agenda Item 10

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 4 December 2017
REPORT NO: PES/242(f)

REFERENCE NO: CR/2017/0866/RG3

LOCATION: TILGATE NATURE CENTRE, TILGATE PARK, TILGATE DRIVE, CRAWLEY
WARD: Tilgate
PROPOSAL: ERECTION OF AN AVIARY MEASURING 32.5M LONG X 8.1M WIDE, AND 5.2M MAX HEIGHT WITH EXTERNAL MATERIALS COMPRISING TIMBER UPRIGHTS, PAINTED MESH AND VIEWING WINDOWS

TARGET DECISION DATE: 7 December 2017

CASE OFFICER: Ms K. Ingram

APPLICANTS NAME: Mr Ben King

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

MA-Block 1-1000, Location Plan scale 1:1000;
MA/EE 2017, East elevation and floor plan;
MA/WE-2017, West elevation and floor plan;
MA/Loc-1-1250, Location Plan scale 1:1250;
MA-Loc 1-500, Block Plan scale 1:500;
MA/RFD-2017, Proposed roof plan;
MA/SD-2017, E-W Section Plan;
MA/NSW-2017, South east and north elevations;
MA/DE 2017, Typical east or west elevation sections.

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|---------------------------------------|----------------------|
| 1. | CBC - Property Division | No objection |
| 2. | CBC - Planning Arboricultural Officer | No objection |
| 3. | CBC - Environmental Health | No objection |
| 4. | Sussex Gardens Trust | No comments received |

NEIGHBOUR NOTIFICATIONS:-

The Cottage, Tilgate Drive;
Garden Cottage, Tilgate Drive.

A site notice was erected on the site on 2 November 2017.

RESPONSES RECEIVED:-

No letters of representation were received.

REASON FOR REPORTING TO COMMITTEE:-

The applicant is Crawley Borough Council.

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THE APPLICATION SITE:-

- 1.1 Tilgate Nature Centre is on the western side of Tilgate Park, to the east of the Walled Kitchen Gardens and to the west of Titmus Lake. It comprises a number of caged and open animal enclosures with a cluster of small scale staff and visitor buildings along its eastern boundary. The site slopes downwards from east to west.
- 1.2 Tilgate Park is a Historic Park and Garden located within the Tilgate/Worth Forest Fringe which is outside the built-up area of Crawley, as designated by Policies CH9 and CH17 of the Local Plan 2030.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is seeking planning permission for the erection of an aviary in the 'Americas' zone which is in the northern part of the Nature Centre. It would measure 32.5m in length on a north-south axis, and 8.1m wide. It would have a height of 4.5m on its eastern elevation and 5.15m on the western elevation. The building would have a curved footprint of 297sq.m.
- 2.2 It would be constructed of timber uprights with a timber beamed roof and galvanised steel mesh applied to the roof and elevations. The eastern elevation would be painted green or brown and would feature glazed viewing windows for a length of 11m. The lower section of the walls would be timber 'half rounds' for the entire perimeter of the aviary to a height of 0.65m, and to 2m in some sections. The upper sections of the western, northern and southern elevations would retain the galvanized steel mesh finish.
- 2.3 There would be some planted beds in front of the solid panelling to separate the public from the mesh. The aviary would accommodate a variety of existing and newly introduced birds including Scarlet Ibis, Conures, Blue and Gold Macaws and a variety of other species.

PLANNING HISTORY:-

- 3.1 CR/402/88 – CHANGE OF USE FROM NATURE CENTRE TO ZOO - **Permit**
- 3.2 CR/2013/0136/RG3 - DISCOVERY CENTRE BUILDING, NATURE CENTRE, TILGATE PARK, TILGATE DRIVE, TILGATE, CRAWLEY – ERECTION OF SINGLE STOREY EXTENSION TO FORM NEW ANIMAL HOUSING - **Permit**
- 3.3 CR/2016/0407/RG3 - INSTALLATION OF 78 SOLAR PANELS ON THE ROOF OF NUMBERS 1-6 OF THE CRAFT UNITS AND ASSOCIATED ELECTRICAL WORKS TO SUPPLY THE ADJACENT CAFE. INSTALLATION OF 22 SOLAR PANELS ON THE REAR ELEVATION OF THE TILGATE OFFICE BUILDING AND ASSOCIATED ELECTRICAL WORKS – **Permit**
- 3.4 CR/2016/0558/RG3 - REMOVAL OF METAL SHUTTERS ON SOUTH ELEVATION OF THE BARN AND REPLACE WITH STUD WORK WALL CLAD WITH TIMBER AND BI-FOLD DOORS – **Permit**

PLANNING POLICY:-

- 4.1 National Planning Policy Framework 2012.
- 4.2 Relevant sections are:
 - Paragraph 14 (Presumption in favour of sustainable development). The National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

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- Paragraph 17 (Core planning principles). Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and to take account of the different roles and character of different areas.
- Paragraph 28 (Supporting a prosperous rural economy) states that planning policies should support the sustainable growth and expansion of all types of business and enterprise in rural areas.
- Chapter 7 (Requiring good design). The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 73 (Promoting healthy communities) states that access to high quality open space and opportunities for sport and recreation can make an important contribution to health and well-being.
- Paragraph 132 (Conserving and enhancing the historic environment) requires consideration of the impact of the development on heritage assets and their settings.

4.3 Crawley Borough Local Plan (2015-2030)

- Policy SD1 (Presumption in favour of Sustainable Development) Development will be supported where it meets the following strategic objectives which include enhancing and creating opportunities for Crawley's unique Green Infrastructure.
- 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 and/or enhance heritage assets.
- 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 needs.
- Policy CH9 (Development Outside the Built Up Area) states that all proposals must recognise the individual character and distinctiveness and the role of the landscape character area or edge. Buildings should be grouped with existing buildings to minimise impact and should reflect local character in terms of form, height, scale, size, colour and texture. Proposals should conserve the high landscape value of the Tilgate/Worth Forest and Fringes.
- Policy CH12 (Heritage Assets) states that Crawley's heritage assets are treated as a finite resource, and that their key features or significance must not be lost as a result of development.
- Policy CH17 (Historic Parks and Gardens) states that the Council will support development, unless it will have a negative impact upon the historic setting and character of the designated Historic Park or Garden. Applicants will be required to demonstrate through a Heritage Impact Statement that the proposal has regard to its character, features and setting.
- Policy EC9 (Rural Economy) states that small scale economic development, including tourism – related development, and reuse of existing land for business or tourism, is supported in areas outside the built up area.
- Policy ENV1 (Green Infrastructure) states that Council will support development which protects and enhances Crawley's multi-functional green infrastructure network.

4.4 Urban Design Supplementary Planning Document (adopted October 2016)

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- With reference to development in the public realm, the Urban Design SPD states that a good public realm should be human in its scale and respond to people's needs, while stimulating the senses and encouraging a variety of activities and uses, whilst providing through routes and clear connections (2.22).

PLANNING CONSIDERATIONS:-

- 5.1 The main planning considerations in the determination of this application are the principle of the development in this location, the impact on the visual amenities of the site and impact on the Historic Park and Garden and Landscape Character Area, impact on neighbouring amenity and the impact on trees.

Principle of the Development

- 5.2 Tilgate Park and Nature Centre are located within the Tilgate/Worth Forest and Fringes and is in a Historic Park and Garden as designated by the Crawley Borough Local Plan. The area is predominantly open in character, other than clusters of buildings, for example around the Nature Centre, the Recreation Centre and Tilgate Mansions around the main car park area.
- 5.3 In 2015 Crawley Borough Council prepared a five year plan for a programme of planned investment to update and repair the infrastructure of Tilgate Park. The aim of the five year plan was to move the Park and Nature Centre towards a cost neutral position financially, as "a cost neutral park and Nature Centre is more likely to be protected from future cuts and the difficult decisions local authorities currently face".
- 5.4 This application is part of the programme of wider improvements within the Nature Centre involving the introduction of some new species, the construction of new animal houses and indoor shelters and the re-landscaping of spaces surrounding the footpaths and visitor areas of the 'Americas' zone. It is hoped to increase visitor numbers in order to generate further income to support the cost of running the Park and Nature Centre.
- 5.5 The proposal is contained within the existing Nature Centre boundary and would not result in the erosion of the open rural character of the Park and the Landscape Character Area and is therefore acceptable in principle. The details of the proposal are considered below.

Impact on the visual amenities of the site and wider area and impact on the Historic Park and Gardens and Landscape Character Area

- 5.6 The 'Americas' zone is accessed by a footpath from the eastern entrance of the Nature Centre. It is characterised by a relatively dense copse of mature broadleaf trees along its eastern and southern boundaries and comprises shrubs, younger trees, grassland and tracks throughout. The northern boundary comprises 3m high mesh fencing and shrubs against a footpath outside the Nature Centre leading down to Titmus Lake. The site slopes steeply down from east to west.
- 5.7 The aviary would be relatively long at 32.5m, however the scale would be proportionate to the site, as the Americas zone has a breadth of 170m east to west, and a depth of 80m. Materials of timber uprights and roof beams, and open mesh painted in green on the eastern elevation would be sympathetic to the rural, wooded and landscaped character of the Nature Centre and Tilgate Park. The eastern elevation is the elevation which would be most exposed to visitors and therefore this would have the viewing windows and be painted green. The northern, southern and western elevations would retain the galvanised steel finish of the mesh elevations. As the mesh fencing is not particularly dense with apertures of 25mm x 75mm and the elevations also comprise solid timber fencing to a height of between 0.65m to 2m from ground level it is considered that the non-painted mesh would not detract from this wooded character of the site and wider area.
- 5.8 Outside the boundaries of the Nature Centre, the aviary would not be visible from Tilgate Park from the east, south, or west, given the tree coverage along the eastern boundary and the distance of site from the southern and western boundaries of the Centre. It would be visible from the footpath which runs along the northern boundary of the Nature Centre down to Titmus Lake, as this

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comprises more open mesh fencing and the aviary would be 32m from this boundary. However the northern elevation has a width of 8.1m and it is considered that the impact on the visual amenities and heritage significance of Tilgate Park would be acceptable.

- 5.9 Given the above, it is considered that the application would be in keeping with the character of the site and wider area in terms of its scale and design, and would not harm the key features or setting of the Tilgate Historic Park and Garden or the Landscape Character Area, and would therefore comply with Policies CH2, CH3, CH9, CH12, CH17 and ENV1 of the Local Plan 2030 and the relevant provisions of the NPPF (2012) and the Urban Design SPD in this regard.

Impact on neighbouring amenity

- 5.10 The nearest residential properties would be Gardeners Cottage 100m to the south east of the subject site, and The Cottage, which is 140m to the north west of the subject site, both within the boundaries of Tilgate Park. Crawley Borough Council Environmental Health department have reviewed the application and do not have any concerns with the application with regards to the impact of the aviary on neighbouring amenity. It is therefore considered that the application would have an acceptable impact on neighbouring amenity and would comply with Policies CH3 and the relevant provisions of the Urban Design SPD in this regard.

Impact on trees

- 5.11 The Council's Arboricultural Officer has advised that the construction of the aviary would have a minimal intrusion into the root system of the surrounding trees. The applicant states that the aviary has been positioned to avoid any close contact with trees. One corner pole near an existing tree would be hand dug with no machinery used to ensure that any root within the dig area would not be damaged and a condition is recommended on any approval to this effect. The application would therefore comply with Policy CH3 and would not have a detrimental impact on the health and vitality of surrounding trees.

CONCLUSIONS:-

- 6.1 The aviary is part of a programme to improve visitor experience in the Nature Centre and Tilgate Park as a whole. It has been designed to blend with its surroundings using timber products for the structure parts and neutral colours to the surfaces in order that it does not detract from the wooded and rural character of Tilgate Park and the wider area of Tilgate/ Worth Forest. It would have an acceptable impact on the visual amenities of the site and would not detrimentally harm the key features or setting of Tilgate Park. There would be no adverse impact on neighbouring amenity or trees, and it would comply with Policies CH2, CH3, CH9, CH12, CH17, ENV1 and EC9 of the Crawley Local Plan 2030.

RECOMMENDATION RE: CR/2017/0866/FUL

PERMIT - Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Any holes dug for the pole structures of the aviary which are within the Root Protection Zone of any trees in the vicinity of the site shall be hand dug with no machinery used. The Root Protection Zone is calculated as 12 x the diameter of the trunk 1.5m above ground level.

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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.

4. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.

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

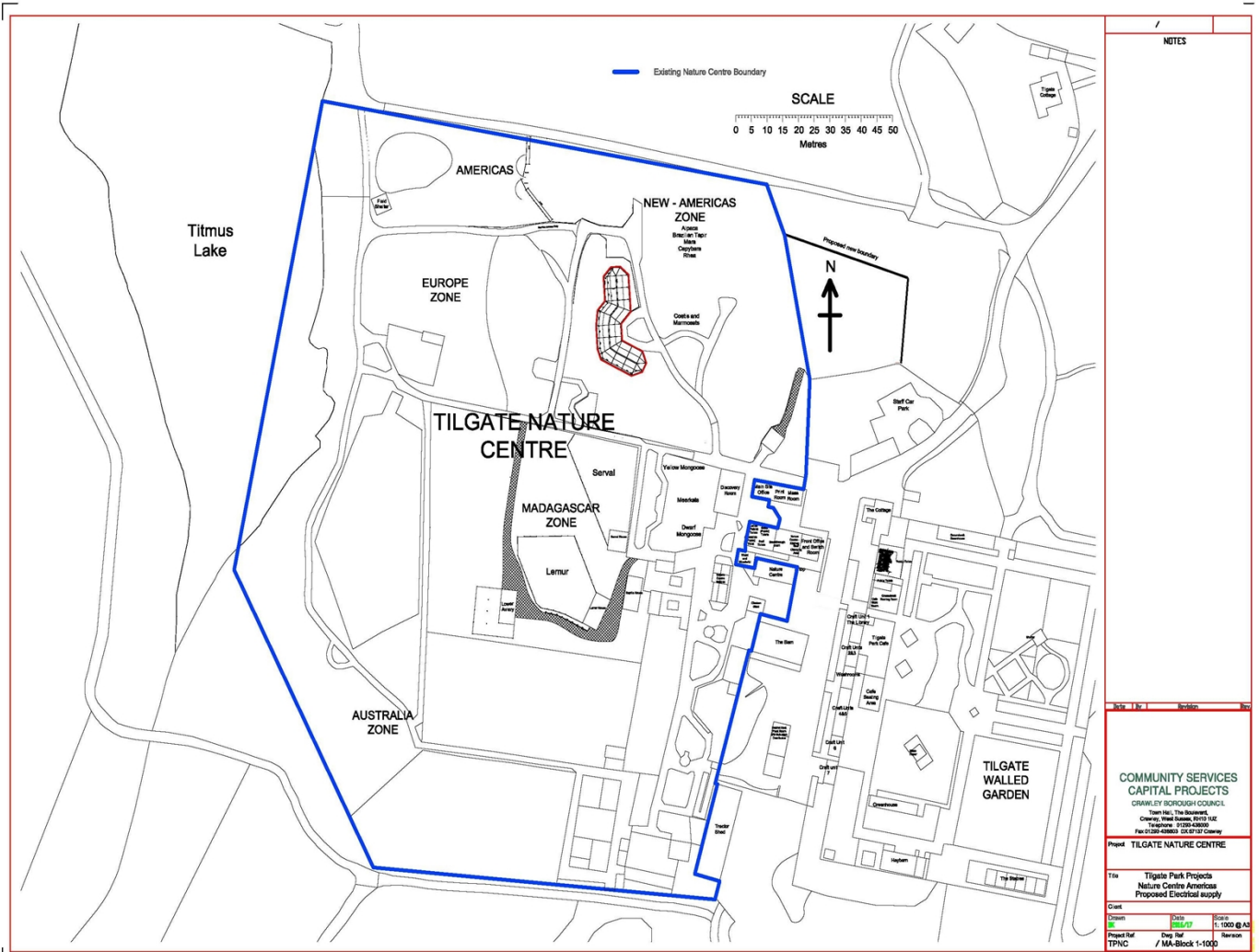
1. NPPF Statement

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

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

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Crawley Borough Council

Report to Planning Committee 4th December 2017

Objections to the Crawley Borough Council Tree Preservation Order Midhurst Close, Ifield No. 1 - 10/2017

Report of the Head of Economic and Environmental Services – PES 263

1. Purpose

- 1.1 This report presents the Midhurst Close No. 1 - 10/2017. 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 Midhurst Close No. 1 - 10/2017 without modification.

3. Reasons for the Recommendation

- 3.1 Consideration has been given to the representation made during the public consultation period however, having regard to the considerable amenity value of the group of trees in their surroundings, they are considered worthy of protection for the reasons outlined in the report.

4. Background

- 4.1 The trees the subject of this Order are a group of 11 pine trees located within the rear gardens of numbers 4 – 9 Midhurst Close. The trees are towards the end of the rear gardens and form a row of trees running roughly north-south along the rear boundary. Due to lack of access to the rear gardens it was not possible to ascertain exactly which properties the trees were in. Immediately to the east of the trees is a line of trees (mainly Lime) running parallel to the subject trees, within the grounds of St Margaret's C of E Primary School. The pine trees form one of the more dominant groups of trees in the area being highly visible and conspicuous due to their darker foliage that stands out against the surrounding, mainly broadleaved trees.
- 4.2 The Order was served following receipt of a TPO application for works submitted by the owner of no. 7 Midhurst Close to fell the Pine tree located within the rear garden. After further investigation it was found that the order (The Crawley Borough (Ifield School Campus) TPO 1984 does not cover the Pine trees. The LPA therefore decided to protect the trees in order to ensure their continued contribution to the green amenity of the area.
- 4.3 The LPA was faced with a decision to either serve a new order to protect the Pine trees or allow the one in the rear garden of no. 7 to be removed which would likely have led to the removal of some if not all of the others in the group. The trees have strong cohesive strength and are highly visible in the local area and, due to the extremely high amenity of these trees it was considered expedient to serve the TPO and ensure their continued contribution.

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- 4.4 The provisional Tree Preservation Order was made on 1st August 2017 and remains in force for a period of six months (until 1st February 2018). If the Order is confirmed, the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

5. Notification/ Consultation/Representation

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

Owners and occupiers of the land:

4 Midhurst Close, Crawley, West Sussex, RH11 0BS
5 Midhurst Close, Crawley, West Sussex, RH11 0BS
6 Midhurst Close, Crawley, West Sussex, RH11 0BS
7 Midhurst Close, Crawley, West Sussex, RH11 0BS
8 Midhurst Close, Crawley, West Sussex, RH11 0BS
9 Midhurst Close, Crawley, West Sussex, RH11 0BS
10 Midhurst Close, Crawley, West Sussex, RH11 0BS
Crawley Borough Council, Town Hall, The Boulevard, West Sussex, RH10 1UZ

Owners and occupiers of adjoining land affected by the TPO:

St Margaret's Church of England Primary School, The Mardens, Crawley, West Sussex, RH11 0AQ
15 Nuthurst Close, Crawley, West Sussex, RH11 0BU

- 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 *7th September 2017*. 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 an owner/occupier objecting to the Tree Preservation Order. The following reasons have been submitted for consideration.

Accuracy of Order

- There is no detailed survey of number of tree species and current state condition of trees which should be the basis for making the order. The plan provided is wrong as trees in G1 do not exist at 4 Midhurst Close

Amenity and Safety Issues

- Trees within area G1 are not of good shape and form and all urgently need maintenance. Work is suggested for Council trees at nos 5 and 6 Midhurst Close prior to confirmation of Order (suggesting one third reduction in 'top height').
- The row of trees significantly reduce light to rear of property
- The trees pose a risk to persons and property and effect the environment to housing and adjoining school.

6. Amenity Value/Assessment and Consideration of the Representations

Amenity and Safety Issues

- 6.1 The Pine trees do have good form and appeared to be in good general health at the time the survey was carried out. Trees in close proximity to buildings, particularly residential properties will often need maintenance works such as containment pruning etc. in order that tree and building can coexist. The imposition of a Tree Preservation Order does not preclude reasonable and justifiable works from being carried out to trees provided that these works can be shown to be proportional and do not destroy the amenity of the tree(s). Reducing the height or 'topping' these trees is not arboriculturally sound due to the unique growth habits of Pine trees and would result in the trees being disfigured and a considerable loss of amenity.

- 6.2 Due to the orientation of the trees in relation to the houses (both houses and trees run north-south) the trees do not cast a significant shadow over the gardens from roughly noon onwards. Moreover

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there is no right to light as far as trees are concerned and this will rarely be considered justification to fell or undertake excessive works to visually important trees such that the amenity of the trees are destroyed.

- 6.3 The trees are in good physiological condition with full, healthy crowns. At the time of the site visit there were no obvious signs of significant structural defects in the crowns. Notwithstanding the concerns of the objector no evidence has been provided to show that the trees are dangerous or that a lower level of works such as removing deadwood would not alleviate any issues with safety. Clearly it is not unusual for trees to loose leaves/twigs, but with good on going management risks from falling branches etc. can be minimised as they are with street trees and those in public parks. It is not therefore considered on the basis of the information submitted that these trees are likely to be an imminent danger to nearby occupiers. The School (St Margaret's C of E Primary School) is not affected by the trees as they are on the boundary away from any high occupancy areas. As stated above shading and similar issues would rarely be considered justification for undertaking excessive works to protected trees.

Accuracy of Order

- 6.4 The trees were surveyed prior to the order being served, the number and species of trees within the group is stated in the TPO schedule. The condition (and therefore suitability) of the trees were assessed during the initial survey however there is no requirement to record this formally. The broken line delineating the group shows the extent of the combined crowns and since the crown of the northern most tree extents over the garden of no. 4, this is how it is shown on the TPO plan.

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.

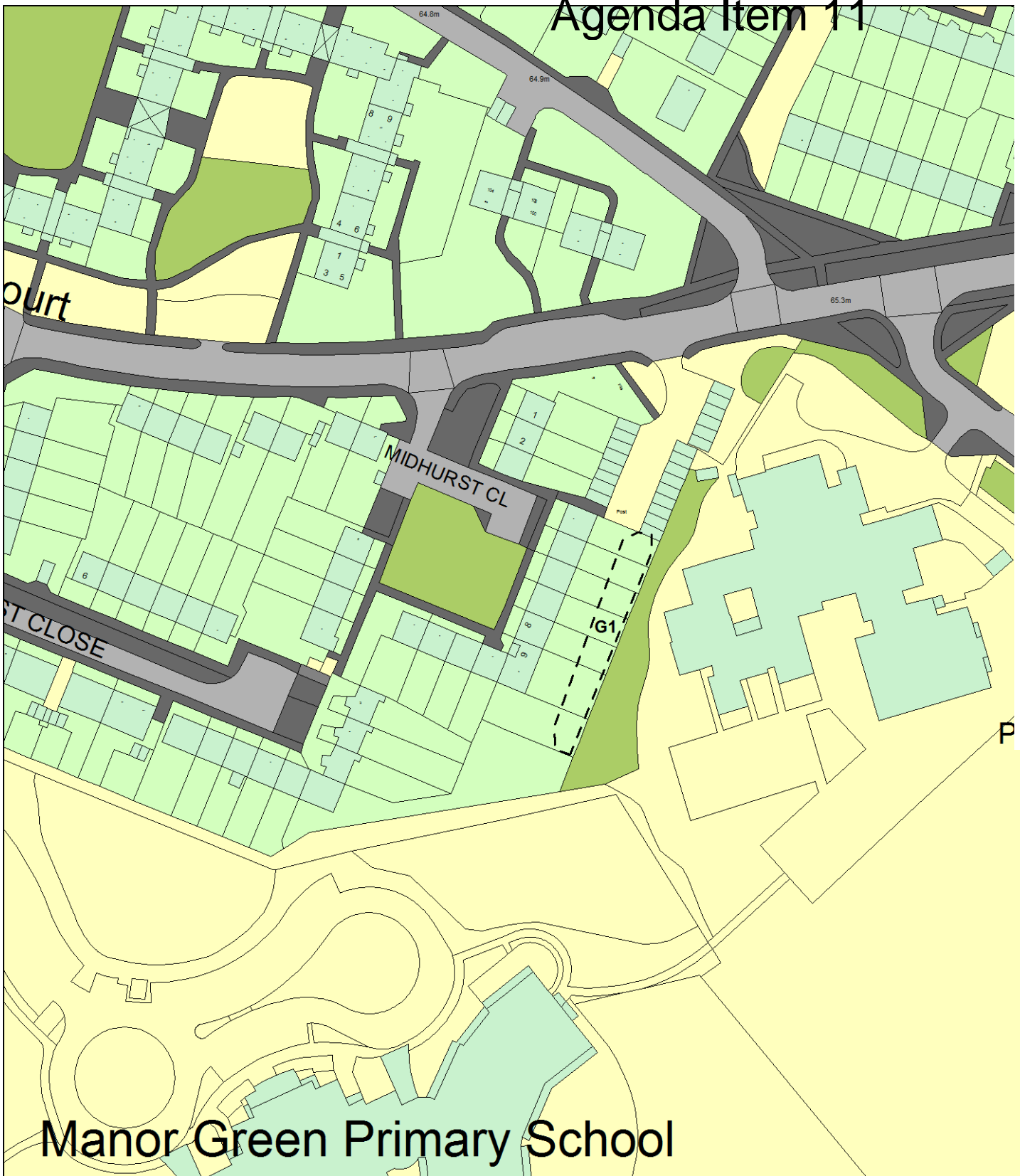
Planning legislation

- 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 Midhurst Close No.1 Tree Preservation Order No 10/2017

Contact Officer: Russell Spurrell
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Email: russell.spurrell@crawley.gov.uk



**Tree Preservation Order No 10/2017
Midhurst Close No. 1**

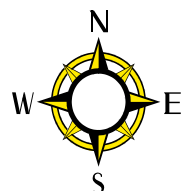
**Clem Smith
Head of Economic and Environmental Services**



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