

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held **virtually - Microsoft Teams Live**, on **Tuesday, 12 January 2021 at 7.00 pm**

Nightline Telephone No. 07881 500 227



Chief Executive

Membership:

Councillors

J Purdy (Chair), R Sharma (Vice-Chair), L M Ascough, A Belben, I T Irvine, K L Jaggard, M Mwangale, M W Pickett, T Rana and P C Smith

Please note: in accordance with Regulations in response to the COVID-19 Public Health Emergency, from April 2020 committee meetings are being held **virtually** via online video conferencing with committee members **in remote attendance only**. Any member of the public or press may observe a committee meeting (except where exempt information is to be discussed) via a link published on the Council's website **24 hours** before the scheduled start time. Written statements submitted **in advance** of the meeting by supporters of or objectors to the planning applications on the agenda will be read to the committee.

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

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

Part A Business (Open to the Public)

	Ward	Pages
1. Apologies for Absence		
2. Disclosures of Interest		
In accordance with the Council's Code of Conduct, Councillors are reminded that it is a requirement to declare interests where appropriate.		
3. Lobbying Declarations		
The Planning Code of Conduct requires that Councillors who have been lobbied, received correspondence or been approached by an interested party regarding 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 meeting.		
4. Minutes		5 - 12
To approve as a correct record the minutes of the Planning Committee held on 7 December 2020.		
5. Planning Application CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley	Pound Hill North & Forge Wood	13 - 30
To consider report PES/358a of the Head of Economy and Planning.		
RECOMMENDATION to PERMIT.		
6. Planning Application CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley	Three Bridges	31 - 50
To consider report PES/358b of the		

		Pages
	Head of Economy and Planning. RECOMMENDATION to REFUSE.	
7.	Planning Application CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley	Pound Hill North & Forge Wood 51 - 70
	To consider report PES/358c of the Head of Economy and Planning. RECOMMENDATION to REFUSE.	
8.	Tree Preservation Order Application CR/2020/0591/TPO - Milton Mount Lake, Pound Hill, Crawley	Pound Hill North & Forge Wood 71 - 74
	To consider report PES/358d of the Head of Economy and Planning. RECOMMENDATION to CONSENT.	
9.	Tree Preservation Order Application CR/2020/0653/TPO - Milton Mount Lake, Grattons Drive, Pound Hill, Crawley	Pound Hill North & Forge Wood 75 - 78
	To consider report PES/358e of the Head of Economy and Planning. RECOMMENDATION to CONSENT.	
10.	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

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Crawley Borough Council

Minutes of Planning Committee

Monday, 7 December 2020 at 7.30 pm

Councillors Present:

J Purdy (Chair)

R Sharma (Vice-Chair)

L M Ascough, A Belben, I T Irvine, K L Jaggard, M Mwangale, M W Pickett, T Rana and P C Smith

Also in Attendance:

Councillor M Flack and R D Burrett

Officers Present:

Dimitra Angelopoulou	Senior Planning Officer
Simon Bagg	Legal Services Manager
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Marc Robinson	Principal Planning Officer
Linda Saunders	Planning Solicitor
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Support Officer

1. Disclosures of Interest

No disclosures of interests were made.

Councillor Sharma declared that he was the Ward Councillor for Southgate, the location of application CR/2020/0588/OUT (42 & 44 Brighton Road, Southgate, Crawley), but that this did not amount to a personal or prejudicial interest in the application.

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

All councillors present had been lobbied regarding application CR/2020/0588/OUT (42 & 44 Brighton Road, Southgate, Crawley).

3. Minutes

The minutes of the meeting of the Planning Committee held on 3 November 2020 were approved as a correct record and signed by the Chair.

4. **Planning Application CR/2019/0646/ADV - The Tree, 103 High Street, Northgate, Crawley**

The Committee considered report [PES/357a](#) of the Head of Economy and Planning which proposed as follows:

Advertisement consent for:

Non-illuminated lettering 'CRAWLEY MUSEUM' on the High Street elevation

1 x non-illuminated entrance fascia sign on the Boulevard elevation.

1 x non-illuminated freestanding welcome sign

(amended description and amended plans received).

Councillors A Belben, Jaggard, Mwagale, Sharma, and P Smith declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought advertisement consent for three signs at Crawley Museum. The signage was considered to reflect the character of the museum and would have an acceptable visual impact on the building.

The Committee then considered the application.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Pickett, Purdy, Rana, Sharma, and P Smith (10).

Against the recommendation to consent:

None.

Abstentions:

None.

RESOLVED

Consent subject to conditions set out in report PES/357a.

5. **Planning Application CR/2020/0012/LBC - The Tree, 103 High Street, Northgate, Crawley**

The Committee considered report [PES/357b](#) of the Head of Economy and Planning which proposed as follows:

Listed building consent for:

Non-illuminated lettering 'CRAWLEY MUSEUM' on the on the high street elevation

1 x non-illuminated entrance fascia sign on the boulevard elevation

(amended description and amended plans received).

Councillors A Belben and Jaggard declared they had visited the site.

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The Principal Planning Officer provided a verbal summation of the application, which sought listed building consent for the installation of two signs at Crawley Museum. The Committee heard that the signage was not considered to have a harmful impact on the character or appearance of the building.

The Committee then considered the application. The signage was deemed to be appropriate and attractive.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwangale, Pickett, Purdy, Rana, Sharma, and P Smith (10).

Against the recommendation to consent:

None.

Abstentions:

None.

RESOLVED

Consent subject to conditions set out in report PES/357b.

6. Planning Application CR/2020/0462/FUL - Barber Warehouse, Northgate Place, Northgate, Crawley

The Committee considered report [PES/357c](#) of the Head of Economy and Planning which proposed as follows:

Change of use from office (formerly use class B1) to a kitchen to feed the homeless.

Councillors A Belben, Purdy, Sharma, and P Smith declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought permission for a change of use of the single storey building. The proposal would alter the floor layout to provide a kitchen and storage space for food and equipment for the preparation of meals. The meals produced would be packaged and transported off the premises for distribution to homeless people at agreed locations in Crawley. The application was to be considered separately and on its own merits following the withdrawal of an earlier application that had proposed the preparation, collection, and consumption of food at the site.

The Committee heard that a small physical change to the building was proposed in the form of a roof-mounted cowl. This was due to the installation of an extraction system to lessen odour from the kitchen during its operational hours of approximately 17:00 to 18:30 daily while food was being prepared.

In line with the Council's Virtual Committee Procedure Rules, two statements submitted by members of the public in regard to the application were read to the Committee.

A statement from an objector (Masoud Ahary) highlighted matters including:

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- Many Northgate residents had concerns regarding the application.
- The proximity of the site to a residential area and a school.
- A suggestion that the site could be relocated to a different area of the town, such as an industrial estate.

A statement from a supporter (the applicant, Giving Back Crawley) highlighted matters including:

- The objections of local residents, of which many suggested that safety issues could be caused by people visiting the site. It was clarified that the kitchen would operate a delivery-only service and only the volunteers working at the kitchen would have access to the premises.
- There would be no noticeable impact on traffic in the area and the existing car parking provision at the site was sufficient for the applicant's one vehicle.
- The applicant's desire to comply with the Council's agreed food distribution locations, planning application conditions, and environment health policies.

The Committee then considered the application. A Committee member recognised the large number of responses from local residents, many of which raised concern about visitors to the building, which formed part of the earlier withdrawn application. It was hoped that these concerns had been allayed, both by the information provided by the applicant and the application conditions, which would limit the scope of use at the premises.

It was noted that Sussex Police had recommended the applicant consider the installation of lighting and an alarm system at the site. Upon queries from Committee members that this could become an application condition, the Planning Officer confirmed a condition was not necessary due to the limited footfall in the area. Lighting and alarms were therefore the responsibility of the applicant.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:
Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Pickett, Purdy, Rana, Sharma, and P Smith (10).

Against the recommendation to permit:
None.

Abstentions:
None.

RESOLVED

Permit subject to conditions set out in report PES/357c.

7. Planning Application CR/2020/0526/TPO - 5 Dene Tye, Pound Hill, Crawley

The Committee considered report [PES/357d](#) of the Head of Economy and Planning which proposed as follows:

T1 ash - fell & grind out stumps.

Councillor A Belben declared he had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought consent to fell a protected ash tree due to its poor condition. The tree showed signs of ash dieback – branches had fallen from the tree and, if retained, would continue to do so. A silver birch tree was proposed as a replacement.

The Committee then considered the application.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwangale, Pickett, Purdy, Rana, Sharma, and P Smith (10).

Against the recommendation to consent:

None.

Abstentions:

None.

RESOLVED

Consent subject to conditions set out in report PES/357d.

8. Planning Application CR/2020/0588/OUT - 42 & 44 Brighton Road, Southgate, Crawley

The Committee considered report [PES/357e](#) of the Head of Economy and Planning which proposed as follows:

Outline application (access and layout to be determined with appearance, landscaping and scale reserved) for the erection of a part 3 and part 4 storey building comprising of 5 x 1no. bedroom flats and 15 x 2no. bedroom flats, of which 2 no. will be designated as affordable housing, following the demolition of existing semi-detached dwellings, the improvement of an access from Brighton Road, the creation of a new vehicular access from Stonefield Close and associated works and landscaping.

Councillors Ascough, A Belben, Jaggard, Mwangale, Purdy, Sharma, and P Smith declared they had visited the site. Councillor Pickett declared he was familiar with the site.

The Senior Planning Officer provided a verbal summation of the application. The Committee was reminded that in November 2019 it had voted for the officer's recommendation to refuse a prior application at this site due to the lack of affordable housing provision. It was heard that the current application was identical to the earlier application, but following an appeal, the applicant had now submitted this current application which included the provision of 10% affordable housing. The application sought outline permission for access and layout with other matters reserved. It was heard that access to the development would be from two points – Brighton Road and Stonefield Close.

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In line with the Council's Virtual Committee Procedure Rules, four statements submitted by members of the public in regard to the application were read to the Committee.

Two statements from objectors (Teresa & Peter Guyver and Sarah Oliver) highlighted matters including:

- Stonefield Close residents' concerns that a block of flats would be out of character with the bungalows in the Close due to its height and size, and the detrimental effects of this on light, privacy, and overlooking.
- The application proposed 20 parking spaces for 20 flats/35 rooms, which was considered insufficient considering the possibility that the owners of some dwellings could own more than one car. Parking on Stonefield Close was limited at present and the proposal would put a further strain on this.
- The proposed access via Stonefield Close would cause traffic congestion on what was presently a quiet road. This may lead to further congestion on to Brighton Road.

A statement from the applicant (Turnbull Land) highlighted matters including:

- The proposed development reflected the historical pattern of construction of apartment blocks on Brighton Road, and was therefore of a similar character to the surrounding area.
- The application addressed the prior reason for refusal (lack of provision of affordable housing units). Consultation with the Local Planning Authority had led to the inclusion of 10% affordable housing.
- The site's location, which was in close proximity to the town centre and was said to ease pressure to release greenfield sites for housing development.

A statement from a Ward Councillor for Southgate (Councillor Flack) highlighted matters including:

- That the proposed development was not part of the current or draft Local Plan and was not currently required to meet the town's housing demand.
- The 1:1 ratio of parking bays to flats was unlikely to meet demand and, as the flats' residents would be eligible for parking permits, would lead to parking on Stonefield Close. Existing residents of the Close were concerned this would lead to insufficient parking space in particular for carers attending daily.
- The high density nature of the development, as well as its height and size, contributed to it being out-of-keeping with the surrounding area of Stonefield Close. This would impact both visual amenity and local infrastructure.

Councillor Pickett left the meeting and was not present for the discussion or vote on the item.

The Committee then considered the application.

Committee members recognised that the reason for refusal on the previous application was the lack of provision of affordable housing, and discussed the subsequent appeal which had upheld the decision to refuse permission. Members sought clarification on the details of the appeal and expressed support for the provision of the affordable units.

The Committee discussed the parking area proposed at the site, and residents' concerns regarding the parking provision were noted. The rate of one space to one flat was considered sufficient in comparison to the minimal proposed parking space

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ratios at recent, similar developments. The Planning Officer confirmed that a disabled access parking bay was included in the application.

Committee members discussed the concerns of residents of Stonefield Close regarding the size and height of the development, and a question from a Committee member was raised about the use of obscured glass for the windows at the development. It was recognised that both scale and appearance were reserved matters and were not to be considered at this stage. However the Planning Officer clarified that the indicative floorplans showed some obscured glazed windows on the south side of the building and unobscured glazed windows on the east and west sides. It was also confirmed that the distance between the proposed development and the nearest dwelling on Stonefield Close was 29-31.5 metres, which was a sufficient distance to negate the need for obscured glass.

A Committee member raised concerns about overdevelopment of the area and the impact on local amenities caused by a new high density development. It was confirmed that as part of the proposal, the applicant was subject to a Community Infrastructure Levy (CIL) payment as a contribution to these amenities.

Following a query regarding comments made on the application by West Sussex County Council as the Highways authority, the Planning Officer confirmed that the comments remained the same as those made on the previous application as no changes had been made to the parking and access proposals. The authority had no objection to the proposed accesses – it was predicted that there would be a small increase in vehicle trips around the site, but that these would have a negligible impact on traffic. The authority had also deemed the parking layout of sufficient size for manoeuvring.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:

Councillors A Belben, Irvine, Jaggard, Purdy, Rana, and P Smith (6).

Against the recommendation to permit:

Councillors Ascough, Mwangale, and Sharma (3).

Abstentions:

None.

RESOLVED

Permit subject to the conclusion of a Section 106 agreement to secure two shared ownership units and the financial contributions of up to £23,100 for tree mitigation and £11,575 for open space, and subject to the conditions set out in report PES/357e.

Closure of Meeting

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

J Purdy (Chair)

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 12 January 2021
REPORT NO: PES/358(a)

REFERENCE NO: CR/2020/0575/NCC

LOCATION: [HILTON, HILTON \(SOUTH TERMINAL\), LONDON GATWICK AIRPORT, WESTWAY, POUND HILL, CRAWLEY](#)

WARD: Pound Hill North & Forge Wood

PROPOSAL: VARIATION/REMOVAL OF CONDITION 3 (APPROVED PLANS) AND CONDITION 9 (AMENDED BUILDING HEIGHT) PURSUANT TO CR/2018/0337/OUT FOR THE ERECTION OF MULTI-STOREY HOTEL CAR PARK

TARGET DECISION DATE: 11 December 2020

CASE OFFICER: Mrs A. Sanders

APPLICANTS NAME: AH5 Limited C/O Management Services Limited

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
Bh194 5 Op Gr 00 001000		Location Plan
Bh194 5 Op Gr 00 00101		Level 0 0.5
Bh 194 5 Op Gr 00 00102		Levels 1 1.5
Bh 194 5 Op Gr 00 00103		Levels 2 4.5
Bh 194 5 Op Gr 00 00104		Levels 5 5.5
Bh 194 5 Op Gr 00 00105		Roof Levels 6 6.5
Bh 194 5 Op Gr 00 00107		Tree Protection Plan
Bh 194 5 Op An 00 00300		Elevations
Bh 195 3 Op Gr 00 00202		Section 8

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|--------------------------------------|------------------------------------|
| 1. | GAL Planning Department | No comments received |
| 2. | GAL Aerodrome Safeguarding | No objection subject to conditions |
| 3. | Environment Agency | No comment |
| 4. | WSCC Highways | No objection |
| 5. | National Air Traffic Services (NATS) | No objection |
| 6. | Surrey County Council | No comments received |
| 7. | Mid Sussex District Council | No comment |
| 8. | Thames Water | No comments received |
| 9. | Mole Valley District Council | No comment |
| 10. | East Sussex County Council | No comments received |
| 11. | Highways England | No objection |
| 12. | Horsham District Council | No comments received |
| 13. | CBC Drainage Officer | No objection |

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14.	CBC Planning Arboricultural Officer	No objection
15.	UK Power Networks	No comments received
16.	Tandridge District Council	No objection
17.	Reigate and Banstead Borough Council	No objection
18.	CBC Environment Team	No comments received
19.	CBC Contaminated Land	No comments received
20.	Crawley Cycle & Walking Forum	Clarification regarding the cycle parking bays and accessibility of spaces.
21.	CBC Energy Efficiency & Sustainability	No objection
22.	CBC Urban Design	No comments received
23.	Archaeology Officer	No objection
24.	Ecology Officer	No comments received
25.	CBC Countryside & Open Space	No comment
26.	CBC Gatwick Airport Boundary	No comments received
27.	CBC Economic Development	No comments
28.	WSCC Fire & Rescue	No comments received

NEIGHBOUR NOTIFICATIONS:-

The application was advertised by press notice and site notice.

RESPONSES RECEIVED:-

None received.

REASON FOR REPORTING TO COMMITTEE:-

The proposal is major development.

THE APPLICATION SITE:-

- 1.1 The application site outlined in red comprises approximately 0.35ha of woodland, a service road from Eastway to the rear of the hotel, a long stay parking area for 76 cars with office building, and areas of soft landscaping.
- 1.2 The site is adjacent to an undercroft car park and the Hilton Hotel, an 821 bed hotel with conference facilities that is connected to the South Terminal via a walkway at the first floor level. The hotel itself is within the wider site owned by the applicant outlined in blue. The total current number of parking spaces between the hotel and service road/woodland is 119. There is a drop off / pick up area in front of the hotel accessed from Eastway.
- 1.3 Immediately to the north of the site is Ring Road North for vehicles exiting South Terminal onto the A23/M23 via the airport way roundabout. To the east is Eastway, a one-way road from the Ring Road South to Ring Road North. The left hand lane provides access to the hotel and for through traffic and the right hand lane provides access to an airport staff surface car park which is 3 hectares in area. To the west lies the south terminal multi storey car park 3 (MSCP3) with its associated office building and exit onto Ring Road North.

THE PROPOSED DEVELOPMENT:-

- 2.1 Outline planning permission was granted under application CR/2018/0337/OUT for the erection of a multi-storey car park comprising the creation of a ground floor plus 5 level multi-storey hotel car park with 831 spaces immediately to the north of the Hilton Hotel. The outline application also sought approval of the access, appearance, layout, and scale and the application was heard at Planning Committee on the 27 August 2019, when it was resolved to permit subject to the completion of a s106 agreement to secure contributions towards tree planting and the imposition of conditions. The application was subsequently permitted on 21 November 2019 (when the S106 agreement was concluded). Landscaping was the only outstanding matter which was dealt with via a reserved matters application CR/2019/0885/ARM which was approved on 05 March 2020.

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- 2.2 This application differs from the previously approved application as there would be a slight reduction in the footprint due to safeguarding distances in respect of 2 existing gas supply pipes that require diversion around the western side of the proposed building. Accordingly, the northwest corner of the approved building has been reduced in its extent to allow for this diversion and the approved building has also moved 0.74m to the south reducing the gap between the proposed car park and the existing hotel from 10.74m (10m measured from the protruding lift core) to 10m (9.15m measured from the lift core) and the eastern elevation is 1.5m closer to the road frontage (12.7m instead of the approved 14.2m). The total length of the amended building (north-south at its greatest extent) is 73.34m which is 1.05m shorter than that approved. A pathway has also been introduced from the staircase on the north elevation which would continue towards the west around part of the building and would join up with the motorcycle parking area. This would be constructed of block paving.
- 2.3 The internal layout of the car park has also been revised as a result of detailed construction design that includes split level floors with additional ramps, relocated fire escape stairs and emergency exits. The changes have resulted in an overall reduction of 20 parking spaces from 831 to 811 (total of 854 including the existing undercroft parking). There would be 60 disabled, 8 electric spaces together with 69 motorcycle spaces and 22 cycles. This differs from the approved scheme which granted 831 parking spaces (874 including the undercroft parking) including 62 disabled, 0 electric, 73 motorcycles and 22 cycles.
- 2.4 It is also proposed to introduce a roof to the car park to provide weather protection for users of the top floor in the form of a flat concrete roof. As a result there would be consequential adjustments to the elevations. Whilst there has been a proposed reduction in floor to floor heights (2.75m compared to 2.95m on the approved scheme), the proposed roof is such that the maximum height of the amended building would now be 19.26m. The permitted scheme had a maximum height of 18.75m at its highest point (roof of the lift core) with the height at the top of the parapet wall being 16.75m from the ground level.
- 2.5 The footprint of the building would be approximately 0.4ha in an irregular shaped rectilinear form as previously permitted. The building line would still be straight on its east and south sides and stepped on its north and west sides. The building would be set back from the surrounding roads leaving a landscaped buffer area. The proposed Eastway frontage would measure 73.34m in length (1m less than previously permitted). The carpark would be parallel to the hotel building and set back 9.15m from the existing hotel building/undercroft parking area and separated from it by a service road. Vehicle access/egress to the carpark would remain as permitted and would be approximately midway along the eastern frontage of the site where the existing service road entrance is located. Pedestrian access would be via the southern and northern stair core and lifts.
- 2.6 The car park would be constructed of reinforced concrete with a steel frame. The proposed elevations would be formed of perforated flat steel cladding panels to conceal the structure/parking behind and provide ventilation. The cladding would be blue which is different from the previously approved grey. There would be a gradual change from dark at the ground floor to light blue at level 5. The panels would have a horizontal emphasis as previously permitted.
- 2.7 As these changes are extensive they cannot be dealt with under the non-material amendment procedure and thus this application has been submitted to vary conditions and the associated plans. If approved, this would result in the issue of a new planning permission with associated conditions, varied from the original permission as necessary or repeated if no change is needed.
- 2.8 In terms of landscaping, there would be no changes to the number of trees to be retained. The landscaping scheme approved under application CR/2019/0885/ARM included a Proposed Planting Plan and Landscape Specification and Management/Maintenance Plan. The Proposed Planting Plan included 27 trees (6 Field Maple, 2 Silver Birch, 7 Hornbeam and 12 Oak), 60 shrubs and 2000 bluebells. This exceeded the previously indicated planting on site under CR/2018/0337/OUT for 24 native trees and 50 native shrubs which was considered acceptable tree mitigation/compensation. Further an off-site S106 contribution of £44,100 has been paid towards replacement /additional planting

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- 2.9 This application does not seek to amend the previously approved landscaping scheme. Although tree T54 does come slightly closer to the east elevation of the building it is not proposed that this tree would be removed. The separation for the trees along the northern elevation would be increased by a further 1.79m. The submitted Tree Protection Plan has been slightly revised to reflect the amended footprint however, given that the landscaping scheme is not changing, there are no implications in respect of the approved reserved matters landscaping scheme.

PLANNING HISTORY:-

- 3.1 CR/2019/0885/ARM: APPROVAL OF RESERVED MATTERS FOR LANDSCAPING PURSUANT TO CR/2018/0337/OUT - OUTLINE APPLICATION FOR ERECTION OF MULTI-STOREY HOTEL CAR PARK
Approved
- 3.2 CR/2018/0337/OUT: ERECTION OF MULTI-STOREY HOTEL CAR PARK
Permitted
- 3.3 CR/2018/0070/FUL: EXTENSIONS WITHIN EXISTING SOUTHERN COURTYARD TO PROVIDE ENLARGED RESTAURANT SEATING AREA, ADDITIONAL SPECIALITY DINING RESTAURANT, MEETING ROOMS AND BREAK OUT SPACE AT HILTON (SOUTH TERMINAL), LONDON GATWICK AIRPORT, WESTWAY, CRAWLEY.
Permitted
- 3.4 CR/2018/0520/FUL: ALTERATIONS TO THE EXISTING ELEVATED WALKWAY BETWEEN SOUTH_TERMINAL CONCOURSE AND GATWICK HILTON HOTEL
Permitted
- 3.5 CR/2018/0263/FUL: ERECTION OF FIRST FLOOR EXTENSION WITHIN EXISTING NORTHERN COURTYARD TO PROVIDE AN EXECUTIVE LOUNGE TOGETHER WITH RECONFIGURED GROUND FLOOR HOTEL ENTRANCE DOORWAY
Permitted
- 3.6 CR/2000/0747/FUL – ERECTION OF HOTEL EXTENSION TO PROVIDE 233 ADDITIONAL BEDROOMS AT LAND ADJACENT TO LONDON GATWICK HILTON HOTEL, GATWICK AIRPORT, CRAWLEY FOR HILTON INTERNATIONAL.
Permitted
- 3.7 CR/031/78 - 600-BED HOTEL WITH USUAL FACILITIES TO BE BUILT AS PHASED DEVELOPMENT ON LAND EAST OF RAILWAY, GATWICK AIRPORT, CRAWLEY FOR BRITISH AIRPORTS AUTHORITY.
Permitted

PLANNING POLICY:-

- 4.1 National Planning Policy Framework (2019)

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 11 – The presumption in favour of sustainable development. Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay.
- Section 6 – Building a strong, competitive economy. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

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- Section 9 – Promoting sustainable transport. Transport issues should be considered from the earliest stages of plan making and development proposals so that the impacts on and opportunities from existing infrastructure can be considered. Opportunities to promote sustainable transport are to be identified and pursued, environmental impact assessed, and the considerations then made integral to the design of schemes. Significant development should be focused on locations which are or can be made sustainable, including through offering a genuine choice of transport modes. Opportunities to maximise sustainable transport solutions can vary between urban and rural areas and should be taken into account in plan and decision making. Para 108 includes that in assessing specific applications for development it should be ensured that *“appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location...”* and *“... safe and suitable access to the site can be achieved for all users;...”*. Para 110 states that *“Within this context, development should give priority first to pedestrian and cycle movements...and second – so far as possible – to facilitating access to high quality public transport,...”*. Para 110 also states that development should create safe, secure and attractive places, allow for delivery of goods and emergency access, address the needs of people with disabilities and reduced mobility and be designed to enable electric charging of vehicles.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change. New development should reduce greenhouse gas emissions and avoid vulnerability to the impacts from climate change. Local requirements for sustainability of buildings should reflect the Government's policy for national technical standards. Para 163 states that *“When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere”*. Para 165 states *“Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate”*.

4.2 The Crawley Borough Local Plan 2015-2030

- Policy SD1 Presumption in Favour of Sustainable Development, 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.
- Policy CH2 Principles of Good Urban Design, sets out the principles of good urban design. Development proposals will be required to assist in the creation, retention or enhancement of successful places in Crawley. In particular it seeks to reinforce locally distinctive patterns of development, create continuous frontages onto streets, and create public spaces and routes that are attractive whilst integrating land uses and transport networks.
- Policy CH3 Normal Requirements of All New Development, requires all proposals to be based on a thorough understanding of the significance and distinctiveness of the site in its immediate and wider context, be of high quality in terms of urban, landscape and architectural design and relates sympathetically to their surroundings, retain existing or individual groups of trees that contribute positively to the area and ensure sufficient space for trees to reach maturity, retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, demonstrate how 'Secure by Design' principles have been incorporated, meet requirements for the safe and proper use of the site in particular with regard to access, circulation, manoeuvring, loading etc. and comply with all relevant Supplementary Planning Guidance.
- Policy CH6 Tree Planting and Replacement Standards states that where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced in order to mitigate for the visual impact resulting from the loss of the tree canopies. Proposals must demonstrate that the number of replacements accords with the requirements set out in the policy. The additional and replacement tree planting requirements would normally be

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expected to be met within the development site. Where the local planning authority agrees that this is not feasible or desirable, commuted sums will be sought in lieu on a per tree basis, taking account of constraints to planting. The approach would enable the green character and appearance of the borough to be maintained through tree planting on appropriate and available land.

- Policy CH7 Structural Landscaping states that areas of soft landscaping that make an important contribution to the town and its neighbourhoods should be protected and if appropriate enhanced. Development proposals that affect this role should demonstrate the visual impact of the proposals and should protect and/or enhance structural landscaping where appropriate.
- Policy EC2 Economic Growth in Main Employment Areas identifies Gatwick Airport as a main employment area identified as a focus for sustainable economic growth.
- Policy ENV1 Green Infrastructure states that Crawley's multi-functional green infrastructure network will be conserved and enhanced by supporting development which protects and enhances green infrastructure,
- Policy ENV2 Biodiversity, All development proposals will be expected to incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features. Habitat and species surveys and associated reports will be required to accompany planning applications which may affect sites showing likely ecological value based on past ecological surveys.
- Policy ENV6 Sustainable Design and Construction requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes.
- Policy ENV7 District Energy Networks states that any major development within the borough should demonstrate how they have considered the following hierarchy: i. where a network is in place in the immediate area: connect to an existing District Energy Network; or ii. where a network is not yet in place, development should: a) consider developing its own system for supplying energy to any surrounding existing or planned buildings, b) consider how it may include site-wide communal energy systems; or c) be "network ready", optimally designed to connect to a District Energy Network on construction or at some point after construction. An alternative approach to securing decentralised low carbon energy may be justified, on a case-by-case basis, where developments demonstrate that the objectives of Policy ENV7 cannot be achieved in line with the criteria above, due to technical or financial viability, or due to site or development specifics. All development subject to the requirements of Policy ENV7 must be supported through the submission of a Sustainability Statement in compliance with the Planning and Climate Change SPD.
- Policy ENV8 Development and Flood Risk states that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere. This includes the requirement that sites of 1 hectare or greater are accompanied by a Flood Risk Assessment, to include detail of mitigation demonstrating how surface water drainage from the site will be addressed.
- Policy ENV9 Tackling Water Stress requires development to minimise its impact on water resources and promote water efficiency.
- Policy ENV10 Pollution Management and Land Contamination deals with pollution management and land contamination.
- Policy IN3 Development and Requirements for Sustainable Transport requires development to be concentrated in locations where sustainable travel patterns can be achieved. In addition, developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased congestion or highway safety. Developments will be permitted unless the cumulative impact on the transport network is severe and cannot be satisfactorily mitigated. Where appropriate, Transport Statements or Transport Assessments will be required.

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- Policy IN4 Car and Cycle Parking Standards states that the appropriate amount of car and cycle parking to meet the needs of a development is assessed against the Council's car and cycle parking standards. Parking standards...will be based on the particular usage of the premises, which will take account of the intensity and requirements of each employment usage and the accessibility of an area by public transport and other sustainable modes.
- Policy GAT1 supports the development of facilities which contribute to the safe and efficient operation of the airport as a single runway, two terminal airport up to 45 million passengers per annum provided that:
 - (i) The proposed use is appropriate within the airport boundary and contributes to the safe and efficient operation of the airport; and
 - (ii) Satisfactory safeguards are in place to mitigate the impact of the operation of the airport on the environment including noise, air quality, flooding, surface access, visual impact and climate change; and;
 - (iii) The proposed use would not be incompatible with the potential expansion of the airport to accommodate the construction of the additional wide spaced runway”
- Policy GAT3 Airport Related Parking. The Provision of additional or replacement airport parking will only be permitted within the airport boundary. All new proposals must be justified by a demonstrable need in the context of proposals for achieving a sustainable approach to surface transport access to the airport.

4.3 Green Infrastructure SPD

The SPD sets out guidance on meeting Policy CH6 Tree Planting and Replacement Standards. Proposals should seek to meet the requirements through a landscape management plan or shown clearly as part of the site design. The guidance also includes triggers for off site contributions and the level of contribution which is £700 per tree in open ground which covers purchasing, planting, protecting, establishing and initially maintaining the new tree and applies where development results in the loss of trees on the development site, and is unable to provide the required replacement tree planting on site.

Part 5 of the SPD sets out guidance on what information to submit in relation to policy ENV2 Biodiversity and includes guidance on enhancing biodiversity and creating habitat which Policy ENV2 expects of all development proposals.

4.4 Urban Design SPD – October 2016

This document provides further advice on the principles of good urban design highlighting in particular the importance of massing and materials, the public realm, street design and parking, and, sustainable design. The document contains the Borough's indicative minimum parking standards for hotels.

4.5 Emerging Crawley Local Plan Review 2020-2035

The Local Plan Review 2020-2035 has been published for Regulation 19 consultation and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development.
- Policy SD2: Enabling Health Lifestyles and Wellbeing
- Policy CL2: Making Successful Places: Principles of Good Urban Design.
- Policy CL3: Local Character and Design of New Development.
- Policy CL6: Structural Landscaping
- Policy DD1: Normal Requirements of All New Development.
- Policy DD2: Inclusive Design
- Policy DD4: Tree and Landscape Character Planting
- Policy DD5: Tree Replacement Standards
- Policy DD6: Aerodrome Safeguarding
- Policy EC1: Sustainable Economic Growth
- Policy EC6: Visitor Accommodation

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- Policy SDC1: Sustainable Design and Construction
- Policy GAT1 Development of the Airport with a Single Runway
- Policy GAT2 Airport Related Parking

PLANNING CONSIDERATIONS:-

- 5.1 The main considerations in assessing this application in addition to the principle of the development are the impacts upon:
- Parking Provision
 - Operation of the highway
 - The design and impact on the visual amenities and character of the site and streetscene
 - Trees, Structural Landscaping and Biodiversity
 - The safe operation of the airport
 - Other matters
- 5.2 The principle of the development has been established through the granting of the outline planning application CR/2018/0337/OUT. The car park was considered justified as the development accorded with GAT1 which supports the safe and efficient operation of Gatwick as a single runway two terminal airport and as the location on the parking is on-airport and there was a demonstrable need for the parking in the context of proposals as part of Gatwick Airports Surface Access Strategy to improve public transport and access to the airport. The proposal was also considered to be in accordance with policy GAT3. It is a material consideration that this application is extant and could be implemented, and that this application seeks amendments to that permission. While it is accepted that current travel patterns and airport business has been dramatically impacted by the Covid pandemic, it is considered reasonable to assume that demand will recover in future years. The proposed changes to this application are in terms of the layout, slight reduction in parking spaces, change in colour of the elevations and creation of a roof on the building would not undermine the previous reasons for granting planning permission and would not alter the policy considerations which were examined in detail within the previous Committee report. As such the principle of the development remains acceptable.

Parking Provision

- 5.3 The proposal is for 811 new parking spaces (20 less than previously approved) to be used by hotel guests for long stay parking and also for conferences at the hotel. The overall parking capacity of the hotel would therefore be 854 spaces (including the existing provision).
- 5.4 Policy IN4 states that the appropriate amount of car and cycle parking to meet the needs of a development is assessed against the Council's car and cycle parking standards. The standard for hotels as stated in the Urban Design SPD is 1 space per bedroom. The proposal would result in a total parking capacity of 854 spaces within the hotel site for an 821 bed hotel which would meet the one space per bedroom standard. It should be noted that this standard is not representative for a hotel at an on-airport location where guests often stay a night and travel from the airport leaving the car. It is therefore likely that the demand for parking from Hilton hotel users could be higher than the number of spaces proposed however, demand can be accommodated on other airport parking sites, although with the erection of this car-park, this is likely to be lower than is currently the case.
- 5.5 The standard for motorcycle parking is 1 space plus one space per 10 car parking spaces. The proposed provision is 1 space per 8.5 car parking spaces. This is below the standard however, this was considered under the previous application where the applicant stated that there were very few guests who arrive by motorcycle and the spaces would mainly be used by hotel staff. Twenty two cycle spaces are proposed which aligns with the previous submission. These would be covered and secure. This is considered appropriate considering the location of the car park at the airport where few passengers would cycle. It is more likely that staff would use cycle storage and as the Walking and Cycle Forum highlight in their consultation response, the location of the hotel to the access east of the railway line is a significant barrier that restricts access and may limit their use.
- 5.6 It is therefore considered that the reduction in 20 spaces from the previous approval would still provide a more than adequate provision of parking which would comply with the council's parking standards. The shortfall in motorcycle/cycle provision whilst below the council's standards, given the

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particular circumstances at this site i.e. most users of the carpark would drive and would not come by motorcycle or bicycle, the proposal is considered in accordance with Local Plan Policy IN4.

Operation of the highway

- 5.7 Policy IN3 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. Developments will be permitted unless the cumulative impact on the transport network is severe and cannot be satisfactorily mitigated. Developments should be supported by an appropriate transport statement or transport assessment.
- 5.8 A Transport Assessment was submitted with the previous application in support of the proposal. The assessment stated that the proposal would contribute towards a reduction in vehicle trips to the airport by reducing 'kiss and fly' trips. This is where a passenger is dropped off and picked up on their return resulting in a total of 4 trips compared to a passenger who drives to the airport and leaves their car at the airport which involves only two trips.
- 5.9 The assessment detailed that traffic speeds and volumes were low on Eastway which linked Ring Road South to Ring Road North and effectively services the Hilton Hotel and staff car park. Pedestrian links were comprehensive. The assessment envisaged that the car park would result a reduction in traffic on the road network by reducing kiss and fly trips.
- 5.10 West Sussex County Council highways were consulted on the amendments to the scheme and raised no objection. GAL as the maintaining authority for the roads within the airport also raised no objection subject to a number of conditions one of which relates to a construction management strategy. As the site is accessed from the strategic road network, Highways England have been consulted on the application and they are satisfied that the proposal will not materially affect the safety, operation and reliability of the strategic road network.
- 5.11 The previous officer report concluded that whilst a reduction in kiss and fly as a result of the proposal was not clearly evidenced by the applicant, the contribution to parking capacity on-airport as passenger numbers increase provides the option of parking adjacent to the hotel/terminal rather than using kiss and fly or less sustainable locations off-airport. It is therefore considered in this regard that the proposal could help to discourage kiss and fly.
- 5.12 The number of trips per hotel guest could also decrease as guests would be parking at the hotel rather than at other long stay locations further away which would involve either longer trips, more trips and/or the use of shuttle buses which add to road traffic. However, the proposal would potentially free up spaces elsewhere on-airport and it is likely that those spaces would then be filled up to meet demand as passenger numbers increase. The proposed development would therefore indirectly increase the number of trips overall at the airport but at the same time reduce the number and length of trips per hotel guest. On balance it is considered that an increased number of trips at the airport but fewer trips per hotel guest and implementation of a travel plan would be unlikely to have an unacceptable impact in terms of increased traffic congestion and it would therefore be in accordance with Local Plan Policy IN3 in this regard. The proposed amendments are not considered to alter this conclusion and as such would also accord with development plan policy.
- 5.13 It should be noted that under the current circumstances with the COVID 19 Pandemic, with one of the terminals shut, there is not currently such a demand for parking. However, this is anticipated to be a temporary decline which is expected begin to return to normal levels during 2021.

The design and impact on the visual amenities and character of the site and streetscene

- 5.14 Policy CH2 (Principles of Good Urban Design) of the Crawley Borough Local Plan states that all proposals for development are required to respond to and reinforce locally distinctive patterns of development landscape character. Policy CH3 (Normal Requirements of All New Development) of the Crawley Borough Local Plan states that all proposals for development are required to make a positive contribution to the area, be of a high quality of urban design and relate sympathetically to their surroundings in terms of scale, details and materials.

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- 5.15 The siting of the building is within the airport close to main airport buildings such as the south terminal and multi storey car parks. The proposed footprint of the building would be approximately 0.4ha in an irregular shaped rectilinear form 9.15m north of the existing hotel which has a building footprint of 1.2ha (previously a 10m gap was permitted). The car park would be 19.26m (previously permitted 18.75m) at its highest point to the top of the proposed roof. Within the site to the north and further beyond the site to the north, east and west are areas of structural landscaping containing mature woodland. The height of the trees immediately to the north of the proposed carpark vary with most between 14m-20m in height and the woodland areas to the east and west are similar in height.
- 5.16 It is considered that the size of building is appropriate in the context of its location within the airport close to similar size structures. Proposed planting on site would comprise 27 new native trees spread throughout the remaining woodland area in-between the remaining tree canopies. The retained woodland area and existing woodland areas to the north east and west would partially screen the visual impacts of the building, including any views from the north, outside the airport boundary. It is likely that the building will only be visible to those entering/exiting the south terminal and using Eastway.
- 5.17 In relation to the design and materials, the car park would be constructed of reinforced concrete with a steel frame. The proposed elevations would be formed of perforated flat steel cladding panels to conceal the structure/parking behind and allow ventilation. The cladding has been changed from grey to blue with some elements of grey with a gradual change from dark blue at the ground floor to light blue at level 5.
- 5.18 Amended plans were received through the course of the previous application as the elevations were originally proposed to be grey vertical cladding with some blue panels. At that time it was considered that the cladding should to be changed to horizontal and to be grey in colour. The scheme was amended to reflect this with horizontal cladding with dark grey to the lower levels gradually changing to light grey at the top of the building. The current proposal would maintain the horizontal cladding but would be predominantly blue with some grey panels. It is considered that the change to the colour of the cladding would be acceptable and would not result in visual prominence of the building. Samples of the cladding would be required to be submitted for approval. There would still be some grey elements on the building which would integrate the structure with the adjacent grey concrete hotel building and the gradual change in colour would help to soften the appearance of the building. The scale of the new car park building would also still be in keeping with the adjacent hotel building.
- 5.19 In summary it is considered that the amendments would continue to respond to and reinforce the pattern of development at the airport and relate sympathetically to its surroundings in terms of scale, details and materials. It is therefore in accordance with Local Plan Policies CH2 and CH3 in this regard.

Trees, Structural Landscaping and Biodiversity

- 5.20 Local Plan Policy CH6 states that where a development would result in a loss of trees, applicants must mitigate this loss through replacement or new tree planting in an appropriate location. Local Plan Policy CH3 states that proposals should retain existing or individual groups of trees that contribute positively to the area and ensure sufficient space for trees to reach maturity. Local Plan Policy CH7 Structural Landscaping states that areas of soft landscaping that make an important contribution to the town and its neighbourhoods should be protected and if appropriate enhanced.
- 5.21 Planning Application CR/2019/0885/ARM approved the reserved matters for the landscaping scheme. This included a Planting Plan and Landscape Specification and Management/Maintenance Plan. The proposed Planting Plan included 27 trees (6 Field Maple, 2 Silver Birch, 7 Hornbeam and 12 Oak), 60 shrubs and 2000 bluebells. This exceeds the previously indicated planting on site under CR/2018/0337/OUT for 24 native trees and 50 native shrubs which was considered acceptable tree mitigation/compensation alongside an off-site S106 contribution of £44,100 (subsequently paid). The number of trees proposed and the contribution paid is in accordance with Local Plan Policy CH6 and the Green Infrastructure SPD. It is necessary for a Deed of Variation to the s106 to be completed to ensure that the monies paid also relate to this application.

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- 5.22 The proposed amendments do not alter the approved landscaping scheme in terms of the number of trees to be removed and the proposed planting schedule. The building would be moving slightly nearer to the south and a small path is proposed to the north of the building, this would not result in the loss of any further trees or compromise the permitted landscaping scheme. The proposed tree planting schedule was considered to be appropriate to the site and context of the multi storey car park by providing additional screening over the long term. The proposed native shrub planting would provide screening and soften the eastern elevation of the multi storey car park and the bluebells would provide an attractive ground cover within and on the edges of the woodland area which is often typical of woodland areas within Sussex. Tree protection details including hand dig areas, ground protection areas, and tree protection fencing are proposed.
- 5.23 The Arboricultural Officer raises no objection to the proposed amendments. It is therefore considered that the retention of trees, new tree planting in spaces where they can grow to maturity and shrub/bulb planting, as previously permitted, would provide sufficient screening and softening of the multi storey car park and strengthen the woodland as an area of structural landscaping in accordance with Policy CH3 and CH7. Planting specifications have been provided for the shrubs and trees and these can be controlled by condition.
- 5.24 Gatwick Airport previously confirmed that the mix of species would be acceptable in terms of not attracting birds likely to impact upon the safe operation of the airport, and the landscaping would therefore accord with policy GAT1 in this regard.

The safe operation of the airport

- 5.25 The applicant has submitted a Bird Hazard Management Plan (BHMP) which has been reviewed and accepted by Gatwick Airport Limited Aerodrome Safeguarding (GAL). Any permission should therefore include a condition that the BHMP be implemented upon commencement of the works. In addition GAL suggest conditions relating to the landscaping, a construction management strategy, a restriction on building height and a scheme of lighting to ensure the safe operation of the airport. These conditions were placed on the previous application which have yet to be discharged and therefore are to be re-imposed on this application.

Other matters

- 5.26 Other matters assessed under the previous application included drainage and flood risk, sustainability and energy efficiency, archaeology and contaminated land all of which remain unaffected by the proposed amendments to the scheme. The conditions relating to these matters are to be re-imposed onto this application.

CONCLUSIONS:-

- 6.1 The proposed amendments to the development are considered acceptable. The inclusion of a flat roof to the building would not significantly alter to appearance of the structure. The slight changes to the cladding design and change of colour from grey to blue are also considered appropriate to the setting and would satisfactorily integrate with the character of the wider hotel site and would not harm the character of the surrounding area. There would not be an adverse impact upon the existing highway network.
- 6.2 The proposed amendments would not compromise the permitted landscaping scheme agreed as a reserved matter or result in the loss of any further trees other than those agreed under the previous application. A Deed of Variation to the original s106 agreement is required to tie the contribution to this application.
- 6.3 In respect of conditions, those relating to time limit, approved plans, building height, materials, landscaping, bird hazard management plan and tree protection are to be revised or updated to reflect the current proposals, whilst those relating to parking, construction management plan, lighting scheme, flood mitigation, travel plan, cycle storage, sustainability statement and planting are to be re-imposed.

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- 6.4 It is therefore recommended to grant planning permission for this Section 73 planning application subject to the imposition of conditions and a deed of variation for the S106 agreement.

RECOMMENDATION RE: CR/2020/0575/NCC

PERMIT, subject to the completion of a Deed of Variation of the Section 106 agreement and the imposition of the following conditions:

1. The development hereby permitted shall be begun before the expiration of 05 March 2022 which is two years from the date of approval of reserved matters application CR/2019/0885/ARM (05 March 2020).
REASON: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development shall be carried out until a schedule of materials has been submitted to, and where so required by the Local Planning Authority sample panels of the external finishes have been constructed on the site, and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. The car park shall be used solely by staff, visitors and guests of the Hilton (South Terminal) London Gatwick Hotel Eastway, Gatwick Airport and shall not be used by for any other purpose.
REASON: To ensure that the use of the building is controlled in accordance with Policy GAT3 of the Crawley Borough Local Plan 2015-2030.
5. Notwithstanding the submitted Construction Management Plan, no development shall take place, including any works of demolition, until a revised Construction Management Plan covering the entire construction period, including any interim arrangements when construction temporarily ceases on site, has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Construction Management Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details of, as appropriate but not necessarily be restricted to, the following matters:
 - the proposed phasing of the development;
 - details of the areas subject to construction activity and the storage of materials and equipment;
 - the anticipated number, frequency and types of vehicles used during construction;
 - the hours of working, including hours during which noisier activities will take place;
 - the methods proposed to control dust arising from demolition and construction activities;
 - the measures to ensure a satisfactory working environment for employees on the site during construction and measures to ensure a safe environment for other users of the site and car park;
 - the method of access and routing of vehicles during construction;
 - details of cranes and other tall construction equipment (including details of obstacle lighting) - such details shall comply with Advice Note 4 'Cranes and Other Construction Issues', available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - Control of activities likely to produce dust and smoke etc
 - Details of temporary lighting – Such details shall comply with Advice Note 2 'Lighting Near Aerodromes', available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>
 - Height of storage areas for materials or equipment
 - Control and disposal of putrescible waste to prevent attraction of birds
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and

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- details of public engagement both prior to and during construction works.

REASON: In the interests of highway safety, to ensure that construction work and construction equipment on the site and adjoining land does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and to protect the amenities of the area in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

6. The Bird Hazard Management Plan dated 29 October 2020 shall be implemented as approved upon commencement of the works and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to manage the building in order to mitigate bird hazard and avoid endangering the safe movements of aircraft and the operation of Gatwick Airport through the attractiveness of birds accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
7. Before development commences details of the permanent lighting scheme for the development shall be submitted to the Local Planning Authority for their written approval. The approved lighting scheme is to be implemented as approved, no subsequent alterations shall take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to control the permanent lighting arrangements on this development to avoid confusion with aeronautical ground lighting and to avoid dazzle to pilots which could endanger the safe movement of aircraft and the operation of Gatwick Airport. For further information please refer to Advice Note 2 'Lighting Near Aerodromes', available from: <http://www.aoa.org.uk/policy-campaigns/operations-safety/>
8. No part of the building hereby approved shall exceed the height specified on the submitted drawings. For the avoidance of doubt, the roof of the building shall not exceed 19.26 metres above ground level.
REASON: In the interests of the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
9. The development hereby approved, shall not be occupied until the Flood Mitigation measures have been implemented in accordance with the submitted April 2018 Flood Risk Assessment. The mitigation measures shall thereafter be maintained to ensure they remain effective.
REASON: To safeguard future occupants of the site in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
10. No part of the development hereby permitted shall be brought into use until such time as a Travel Plan has been submitted to and been approved in writing by the local planning authority (who shall consult with Highways England). The Travel Plan shall be implemented for the life of the building.
REASON: To ensure that the M23 Motorway and Gatwick Spur continue to be an effective part of the national system of routes for through traffic in accordance with section 10 of the Highways Act 1980 and to satisfy the reasonable requirements of road safety and Policy IN3 of Crawley Local Plan.
11. No part of the building hereby approved shall be first occupied until covered and secure cycle parking spaces for employees and visitors have been provided in accordance with the approved plans and details submitted with the application. The cycle parking provision shall be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.
REASON: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015-2030.
12. No development shall take place until there has been submitted to and approved in writing by the local planning authority a Sustainability Statement detailing measures by which the development proposes to address the requirements concerning climate change mitigation and adaptation set out in Local Plan policies ENV6 and ENV7. The development shall thereafter be carried out in accordance with the approved statement.
REASON: In the interests of sustainable design and construction and in accordance with policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030.

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13. All landscaping works shall be carried out in accordance with the approved drawings and details being the Planting Plan (Drawing 01CD 23/01/2020) and Landscape Specification and Management/Maintenance Plan approved under application CR/2019/0885/ARM.
The landscaping scheme shall thereafter be maintained in accordance with the details contained within the SDavid Clarke landscape Architect Landscape Works Specification and Management/Maintenance plan received 3rd February 2020 approved under application CR/2019/0885/ARM.
No alterations to the approved landscaping scheme are to take place unless they have first been submitted to and been 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 polices CH3, ENV1 and GAT3 of the Crawley Borough Local Plan 2015-2030.
14. All planting, seeding or turfing comprised in the approved details of landscaping within the application site shall be carried out in the first planting and seeding seasons following the occupation of the dwelling or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
15. No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence erected in accordance with Drawing Tree Protection Plan BH0195-3-OP-GR-00-00106 dated 08/09/2020. Within the areas so 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 tree roots encountered with a diameter of 25 mm or more shall be left unsevered.
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 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.

INFORMATIVE(S)

1. The Travel Plan will identify the specific required outcomes, targets and measures, and set out clear future monitoring and management arrangements which should be aligned with those of the Gatwick Airport Travel Plan.
It is expected that the Travel Plan will:
 - consider what additional measures may be required to offset unacceptable impacts if the modal targets should not be met.
 - set explicit outcomes rather than just identify processes to be followed (such as encouraging active travel or supporting the use of low emission/electric vehicles).
 - address all journeys resulting from the Hotel by anyone who may need to visit or stay and should seek to fit in with wider Gatwick Airport strategies for transport.The Travel Plan should evaluate and consider:

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- the existing travel data as presented in the applicants supporting Transport Assessment and Technical Note which responded to Highways England's concerns over the potential impacts resulting from the proposal.
- the nature of the proposed development and the forecast level of trips by all modes of transport likely to be associated with the development.
- relevant information about existing travel habits to the airport.
- proposals to reduce the need for travel to and from the development via single occupant vehicles
- provision of improved public transport services.
- parking strategy options (having regard to the airports parking and pricing structure to mode shift away from sustainable travel).
- proposals to promote the use of existing, new and improved public transport services and facilities at the hotel and Gatwick Airport.

The Travel Plan will be reviewed 12 months after the development has started operating so that it can be based upon the occupational and operational characteristics of the development. It will then be reviewed annually thereafter until such time as it is demonstrated that the requirement is no longer necessary (to be agreed by the Council/HE/WSCC).

2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
3. The applicant is advised to enter into a legal agreement with Gatwick Airport Limited (GAL), as Highway Authority, to cover the off-site highway works. The applicant is requested to contact GAL 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.
4. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.
5. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Workingnear-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB We

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

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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.

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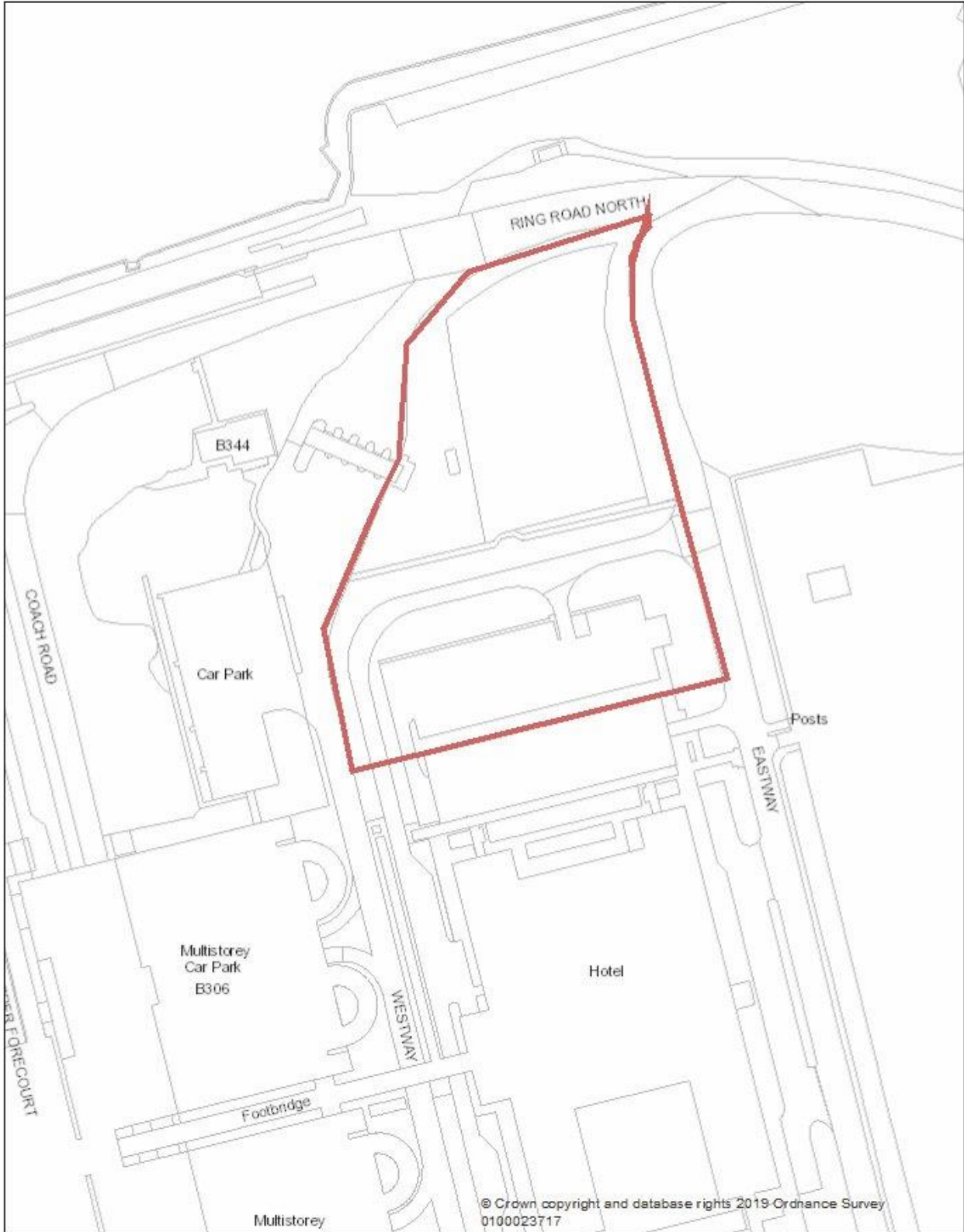


ArcGIS Web Map



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

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 12 January 2021
REPORT NO: PES/358(b)

REFERENCE NO: CR/2020/0589/OUT

LOCATION: [CAR PARK, STATION WAY, NORTHGATE, CRAWLEY](#)
WARD: Three Bridges
PROPOSAL: OUTLINE APPLICATION FOR THE REDEVELOPMENT OF CAR PARK TO FORM MIXED USE RESIDENTIAL WITH INDICATIVE 15 UNITS AND COMMERCIAL SCHEME

TARGET DECISION DATE: 22 January 2021

CASE OFFICER: Mr H. Walke

APPLICANTS NAME: Simco Homes Ltd
AGENTS NAME: Urbana Town Planning Limited

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
Utp 316		Block Plan
Utp 316		Site Location Plan
TL-4155-20-5		Proposed Site Plan
TL-4155-20-1	A	Proposed Ground & First Floor Plan
TL-4155-20-2		Proposed Second, Third & Fourth Floor Plan
TL-4155-20-3	A	Proposed North & South Elevations
TL-4155-20-4		Proposed North & Side Elevations
TL-4155-20-6		Proposed Construction Details & Sections

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | |
|---|---|
| 1. GAL Aerodrome Safeguarding | No objection subject to condition |
| 2. Network Rail | Comments provided |
| 3. WSCC Highways | Objection and comments provided |
| 4. National Air Traffic Services (NATS) | No safeguarding objection |
| 5. CBC Housing Enabling & Development Manager | Objection |
| 6. CBC Contaminated Land | No objection subject to condition |
| 7. CBC Environmental Health | Objection on noise grounds |
| 8. CBC Refuse & Recycling Team | Comments provided |
| 9. CBC Energy Efficiency & Sustainability | No response received |
| 10. CBC Retail & Employment | Comments provided |
| 11. Archaeology Officer | Comments provided and condition recommended |
| 12. CBC Countryside & Open Space | Comments provided |
| 13. CBC Economic Development | No response received |
| 14. Thames Water | Comments provided |
| 15. Heritage Consultant | Awaiting comments |

NEIGHBOUR NOTIFICATIONS:-

The application was publicised by a press notice (expiry date 25/11/20) and site notices (expiry date 24/11/20).

RESPONSES RECEIVED:-

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A total of five objections have been received. Two are from residents, one from Arora Management Services and two from councillors.

The residents' objections state that provision of fifteen flats without any car parking is unacceptable. They query where residents will park and state that the surrounding roads are already congested. The area would become more dangerous in traffic terms. One letter queries why Crawley needs these new flats and where residents will come from, when the airport will not be back to capacity for years and when shops and other businesses are closing. It states that the flats will be buy to rent, occupied by people on benefits.

Cllr Peter Lamb objects to the proposal. He states that it offers no affordable and low cost housing or a commuted sum towards affordable housing or infrastructure. Drainage has not been dealt with. No car parking is proposed in an area where on street parking is controlled and availability limited. Nearby developments have made better off-street parking provision.

Cllr Morgan Flack also objects to the application. She states that there is no affordable housing provision in this area of needs. She also shares residents' concerns about the lack of parking in an area of high demand for spaces on street. This may particularly affect disabled people or people accessing services not served by the train station.

Arora are the developers who gained outline planning permission for the Overline House/Station Gateway site immediately to the east of the current application site. They object to the proposal for a number of reasons. They state that the lack of parking or disabled parking is unacceptable for this major residential development. There is no servicing space and the loading bay would force pedestrians to walk into the road when it is occupied by a large vehicle. The plans do not demonstrate that the bay could accommodate a larger refuse vehicle. Vehicles could block the pavement or the single lane leading to the level crossing, which could exacerbate delays. The ground floor residential units would be too close to the narrow pavement and busy road at the front and close to the railway line at the rear, creating uncomfortable living conditions. The south elevation looks onto the proposed communal garden for the Station Gateway development, where a fence or screen planting is likely for privacy and security. No Design and Access Statement has been provided, which is a legal requirement. The building would be far closer to Station Way than the planned Station Gateway scheme, which would be diminished by the poor quality of the proposal. It would be poorly aligned, excessively narrow and awkward. It would appear as a contrived awkwardly located scheme. The elevations are flat with no relief other than the balconies and there is no landscaping. The scheme lacks visual interest and is of poor quality. It does not step down from the Station Gateway proposals to reflect a transition down to the heritage assets of the conservation area, listed signal box and locally listed building. A standalone isolated building of this type is not the optimum way to develop this type of site. A comprehensive approach is needed coordinated with the Station Gateway scheme. There is no construction management plan showing how the site could be developed. Arora do not see scope to share their site and construction space with this proposal.

REASON FOR REPORTING TO COMMITTEE:-

The application is for 'major' development.

THE APPLICATION SITE:-

- 1.1 The application site contains a surface car park providing eleven car parking spaces. The site lies on the junction of High Street and Station Way. The existing vehicular access is at the western of the site, close to the High Street junction, and the exit is at the eastern end of the site. To the west, across the High Street, is the Taj Mahal restaurant. The application site's use has been to serve as a car park serving the restaurant. It has an area of 0.05 hectares.
- 1.2 Station Way is one way at this point, with three westbound lanes. There are traffic lights, a pedestrian crossing and traffic island to the north of the application site. The southern vehicular lane on Station Way provides access southwards along the High Street to the level crossing and then onwards to Brighton Road. The two northern vehicular lanes turn northwards up the High Street and lead onto other parts of the town centre. There is also a cycle lane in the middle of Station Way, which provides access to advanced stop lines for travel in both directions at the High Street junction.

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- 1.3 To the south of the site is the Crawley to Horsham railway line, with a Network Rail owned strip of land between application site and the railway line itself. This Network Rail land contains a telecommunications mast. The Taj Mahal restaurant and the service yard for Asda supermarket lie to the west. There are commercial premises and flats to the north across Station Way.
- 1.4 The railway signal box to the south west is a Grade II listed building and the Brighton Road conservation area lies to the south of the railway line. The application site lies within an Archaeological Notification Area based upon the settlement of Medieval Crawley.
- 1.5 The site is within a defined railway buffer area that extends 10m from the railway land along the length of the line. The site is shown on Council records as being potentially contaminated. The site lies within the Local Plan's Town Centre boundary and within a Priority Area for a District Energy Network. It also lies within the Long Distance View Splay from Tilgate Park.

THE PROPOSED DEVELOPMENT:-

- 2.1 Outline planning permission is sought for redevelopment of the site to form a mixed use residential and commercial scheme. Access, appearance, layout and scale are to be approved at this stage, with only landscaping reserved for future consideration.
- 2.2 The building would contain 15 flats (11 one bed and 4 two bed) within a five storey building at its eastern end, dropping to four, then three, then single storey towards the level crossing. The ground floor would contain 95.3 square metres of commercial (Class E) floorspace. No vehicle parking is proposed on site, with a single, shared surface loading bay shown on the public highway to the north. The proposed building almost entirely covers the site. The submitted drawings misleadingly show the land to the south as a 'Proposed Landscaped Area.' This land is not within the applicant's control, it is owned by Network Rail and part of the adjoining Station Gateway development. Residents of the proposed development subject of the current application would have no access to this land.
- 2.3 In support of the application, the applicant has submitted the following documents:
 - Planning Statement
 - Built Heritage Statement
 - Archaeological Report
 - Sustainability and Energy Statement
 - Arboricultural Report
 - Transport Statement
 - Delivery and Servicing Plan
 - Contaminated Land Assessment
 - Viability Assessment
 - Air Quality Assessment
 - Noise and Vibration Impact Assessment

PLANNING HISTORY:-

- 3.1 There is little planning history on the site, with the following two applications being the only recent ones:
 - **CR/2017/0593/FUL** – Installation of mobile hot food takeaway van. Two year temporary permission granted 1 September 2019.
 - **CR/2014/0739/FUL** – Installation of a self-contained coffee outlet based within a converted 6m ISO shipping container. Two year temporary permission granted 29 January 2015.
- 3.2 The adjoining Overline House/Station Gateway site to the east has the following relevant planning history:
 - **CR/2019/0602/ARM** – Approval of reserved matters pursuant to CR/2016/0294/OUT for residential led mixed use redevelopment (multi deck car park removed from scheme). Current undetermined application.

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- **CR/2016/0294/OUT** – Outline application (All matters reserved) for demolition of existing office building and integrated railway station building, footbridges and ancillary structures. Erection of 308 studio, 1, 2 and 3 bedroom residential apartments and associated parking (C3 use class); integrated railway station building, footbridges and ancillary structures; flexible use retail/coffee shop/business centre (A1/A3/B1 use classes); 120 space multi-deck station car park, vehicle drop-off lay-by and associated highway works and public realm enhancements. Approved following completion of S106 agreement 16 August 2016.

PLANNING POLICY:-

National Planning Policy Framework (February 2019 as amended in June 2019)

- 4.1 The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that achieving sustainable development means the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are economic, social and environmental.
- 4.2 Section 4 – ‘Decision Making’ states that Local Planning Authorities (LPAs) should approach decisions on proposed development in a positive and creative way. It also recommends that applicants should take advantage of pre-application discussions. Paragraph 47 confirms the statutory requirement for decisions to be made in accordance with the development plan and as quickly as possible. Local Planning Authorities should consider whether development can be made acceptable through conditions or obligations. Paragraph 57 states that where up-to-date policies have set out the contribution expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. All viability assessments should be made publicly available.
- 4.3 Section 5 – ‘Delivering a sufficient supply of homes’ emphasises the need to boost housing supply and for the planning system to deliver a sufficient supply of homes, including affordable housing, and the need for LPAs to maintain and monitor the supply of housing against its housing requirement. Paragraph 62 states that, where a need for affordable housing is identified, policies should specify the type required and expect it to be met on-site unless alternative contributions can be robustly justified or an agreed approach creates mixed and balance communities. Paragraph 64 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
- a) provides solely for Build to Rent homes;
 - b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 - c) is proposed to be developed by people who wish to build or commission their own homes; or
 - d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- 4.4 Section 6 – ‘Building a strong, competitive economy’ states that planning decisions should allow businesses to invest, expand and grow. Section 7 – Ensuring the vitality of town centres highlights the role that town centres play at the heart of communities.
- 4.5 Section 8 – ‘Promoting healthy and safe communities’ seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible so that crime and disorder and fear of crime do not undermine quality of life and enable and support healthy lifestyles. Planning policies and decisions should promote public safety and take into account wider security (and defence) requirements.
- 4.6 Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations. Paragraph 110 states that applications for development should give priority first to pedestrian, cycle and public transport

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movements, address the need of people with disabilities in relation to all transport, create safe, secure and attractive places avoiding conflict between different transport users, allow for efficient delivery of goods, and access by service and emergency vehicles and be designed to enable charging of plug-in vehicles.

- 4.7 Section 11 – ‘Making effective use of land’ states in paragraph 117 that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”* The redevelopment of underutilised land and buildings is encouraged, and LPA’s should take a positive approach to alternative uses of currently developed land which is not allocated for a specific purpose to meet identified development needs. Paragraphs 122 and 123 seek to ensure efficient use though achieving appropriate densities on each site.
- 4.8 Section 12 - ‘Well designed places’ states that good design is a key aspect of sustainable development and that the planning and development process should achieve the creation of high-quality buildings and places. Paragraph 127 states:
“Planning policies and decisions should ensure that developments:
a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*
- 4.9 Section 15 – Conserving and Enhancing the Natural Environment. Paragraph 180 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

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

- 4.10 The Development Plan for Crawley is the Crawley Borough Local Plan 2015–2030 (adopted December 2015). The following Local Plan policies are relevant to this application:
- Policy SD1: Presumption in Favour of Sustainable Development. This overarching policy states that there will be a presumption in favour of sustainable development. Development will be supported when it complements Crawley’s character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the use of sustainable travel. Development will be supported where it respects the heritage of the borough and protects, enhances and creates opportunities for Crawley’s unique green infrastructure and accords with other policies and objectives unless material considerations indicate otherwise.
 - Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places. In particular development proposals will be required to:
“(a) respond to and reinforce locally distinctive patterns of development and landscape character and to protect and/or enhance heritage assets,
(b) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas,

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(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,

(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,

(g) provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs”.

- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate “Secure by Design” principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
- Policy CH4: Comprehensive Development and Efficient Use of Land. Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.
- Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, based on the Nationally Described Space Standards, and be capable of adaption through meeting Building Regulations Part M Category 2. Residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements.
- Policy CH6: Tree Planting and Replacement Standards. Landscape proposals for residential development should contribute to the character and appearance of the town by including at least one new tree for each new dwelling, of an appropriate species and planted in an appropriate location. If on-site provision is not feasible or desirable, commuted sums will be sought in lieu.
- Policy CH8: Important views requires that the important views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The site is within the Long Distance View Splay from Tilgate Park.
- 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.
- Policy CH13: Conservation Areas states all development within a conservation area should individually or cumulatively result in the preservation or enhancement of the character and appearance of the area. A Heritage Impact Assessment should be submitted in support of proposals. The policy also states that there may be structures within conservation areas that do not contribute positively, for which a case for demolition will be considered on a case-by-case basis.
- Policy CH15: Listed Buildings and Structures requires works to listed buildings to be consistent with their character, appearance and heritage value. A Heritage Impact Assessment should be submitted to demonstrate how listed buildings will be protected.
- Policy EC1: Sustainable Economic Growth. Crawley’s role as the key economic driver for the Gatwick Diamond will be protected and enhanced. To ensure that Crawley’s recognised economic role and function is maintained and enhanced the council will: i) Build upon and protect the established role of Manor Royal as the key business location (B Use Classes) for Crawley at the heart of the Gatwick Diamond; and ii) Ensure that the town’s Main Employment Areas are the focus for sustainable economic growth.
- Policy EC4: Employment Development and Residential Amenity seeks to ensure that residential development within Main Employment Areas does not constrain the economic function of the area.
- Policy EC6: Development Sites within the Town Centre Boundary states that sites within the Town Centre boundary provide an important opportunity to promote town centre viability in a sustainable location through mixed use development that meets the economic and housing needs of the borough.

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- Policy EC7 (Retail and Leisure Development outside the Primary Shopping Area) sets out the approach, taking the NPPF Town Centre First principle, by which edge or out-of-centre proposals will be assessed.
- Policy H1: Housing Provision. The council will positively consider proposals for the provision of housing to meet local housing need ensuring against town-cramming or unacceptable impact on the planned character or neighbourhoods or residential amenity.
- Policy H2: Key Housing Sites. This policy encourages residential uses in the town centre, identifying the area as a broad location for housing.
- Policy H3: Future Housing Mix. All housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme. However, consideration should be given to the evidence established in the Strategic Housing Market Assessment and its updates for market housing needs and demand in Crawley.
- Policy H4: Affordable and Low Cost Housing. 40% affordable housing will be required from all residential developments. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first-time buyers.
- Policy ENV2: Biodiversity All development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- Policy ENV5: Provision of Open Space and Recreational Facilities. The impact of the increased population from residential development on open space and recreational facilities across the Borough will be mitigated by the use of the Community Infrastructure Levy which will be used to enhance existing areas of open space. This policy requires development to make provision for open space and recreational facilities.
- Policy ENV6: Sustainable Design and Construction. In order to maximise carbon efficiency, all homes will be required to meet the strengthened on-site energy performance standards of Building Regulations and any subsequent increased requirements along with the water efficiency standards.
- Policy ENV7: District Energy Networks requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- Policy ENV8: Development and Flood Risk. Development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV9: Tackling Water Stress. New dwellings should where viable and technically feasible, meet the Building Regulations' optional requirement for tighter water efficiency.
- Policy ENV10: Pollution Management and Land Contamination. Where a site is known or suspected to be at risk from contaminants or materials that present a hazard to health, information must be provided detailing the methodology through which risks will be addressed, and ensuring the treatment and/or removal of all such contaminants and materials prior to the commencement of development.
- Policy ENV11: Development and Noise advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.
- Policy IN1: Infrastructure Provision. Development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2: Strategic Delivery of Telecommunications Infrastructure states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- Policy IN3: Development and Requirements for Sustainable Transport. Development should be concentrated in locations where sustainable travel patterns can be achieved through the use of

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the existing transport network, including public transport routes and the cycling and walking network. Developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety.

- Policy IN4: Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the Borough Council's car and cycle parking standards. Car parking standards for residential development are based on the accessibility of the area, the levels of car ownership, and the size of any new dwellings.

Emerging Crawley Borough Local Plan 2020 – 2035 (January 2020)

4.11 The Local Plan Review 2020-2035 has been published for Regulation 19 consultation and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CL1: Neighbourhood Principle
- Policy CL2: Making Successful Places: Principles of Good Urban Design
- Policy CL3: Local Character and Form of New Development
- Policy CL4: Effective Use of Land: Sustainability, Movement and Layout
- Policy CL5: Form of New Development – Layout, Scale and Appearance
- Policy DD1: Normal Requirements of All New Development
- Policy DD4: Tree and Landscape Character Planting
- Policy DD5: Tree Replacement Standards
- Policy IN1: Infrastructure Provision
- Policy IN3: Supporting High Quality Communications
- Policy H1: Housing Provision
- Policy H4: Future Housing Mix
- Policy H5: Affordable Housing
- Policy SDC1: Sustainable Design and Construction
- Policy SDC2: District Energy Networks
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

Supplementary Planning Documents

4.12 The following Supplementary Planning Documents are non-statutory documents supplementing the policies of the Local Plan and are applicable to this application:

Urban Design SPD 2016

- 4.13 This SPD includes further guidance, examples and explanation of the principles of good urban design and public realm design.
- 4.14 In relation to massing and materials it advises that buildings within the urban realm should work harmoniously and complement each other and that “*All new elements within the urban realm should consider the scale and materiality within their immediate context, as well as the overall character of their setting*”. The document explains that building heights in Crawley have been dictated by the history of the town and new development should show consideration to the scale and massing of its immediate surroundings. Proposals should consider existing and important views, relationship to human scale, possible wind tunnels, overshadowing and existing trees/hedges.
- 4.15 The SPD states that developments should consider how the immediate space around them may be occupied/developed in the future and accommodate any potential development.
- 4.16 The SPD includes minimum rear window to window distances (21 metres for two storeys and 30 metres for three storeys or more), the minimum distance between a blank gable and rear of an adjacent building and outdoor amenity space standards.

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- 4.17 In respect of multi-dwelling residential development (flats) the SPD seeks a *minimum of 5sqm of private outdoor space, where the smallest dimension is not less than 1500mm, is provided for 1 to 2 person flats plus an extra 1sqm for each additional occupant. For apartments and flats, a useable private space should also be provided for residents. While balconies provide a good solution, they may not be appropriate in all contexts and a semi-private outdoor, communal space may be suitable*. Guidance is given on the shape, orientation, privacy, layout and position of amenity space provision. Detailed advice is provided to ensure that flatted developments are integrated into the community. The SPD states *“Elements of the design, such as entrances, public and private spaces and routes through should be clear and easy to navigate. The scale, massing and form of the development should relate to the surrounding area. The openings on the façades should reflect the local vernacular in proportions and a balance should be achieved between solid walls and window/door apertures. The roof design should be considered during the initial design stage and not left to the end to be resolved. Details and decorations are encouraged in residential developments, as they will create more character and visual interest. The materials used can often help with creating such details and decorations with little other effort – for example, a change in material within the elevation can help break up the mass of a building. Flatted developments, in particular those with multiple buildings, should endeavour to provide visual interest through a variation in the elevational treatment. Parking provisions should meet the recommendations set in Annex 1.”*
- 4.18 It also includes the Crawley minimum car parking standards. For 1 bed and 2 bed flats in this location, the minimum standards are 1 car parking space per dwelling. Regarding cycle parking it is stated that: *‘All cycle parking must be sheltered and secure and in accordance with local guidance and best practice design. For one bed dwellings: One space per dwelling and 1 space per 8 dwellings for visitors will be required. For two bed dwellings or more: 2 spaces per dwelling and 1 space per 8 dwellings for visitors will be required’.*

Green Infrastructure SPD 2016

- 4.19 This SPD provides 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. This document includes a costing of £700 per tree in lieu of on-site planting. It also sets out the open space standards and costings. The document also links to the Urban Design SPD in respect of considering landscaping as part of high quality design.

Town Centre SPD 2016

- 4.20 Supports regeneration and development to promote the economic growth, vitality and viability of the town centre, which forms a sustainable location for development. In this case, the site is not specifically allocated, but is situated adjacent to the Station Gateway site.

Planning and Climate Change SPD 2016

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

Affordable Housing SPD (adopted November 2017)

- 4.22 This SPD includes further guidance on the requirements of policies H3 and H4 in the Local Plan and when affordable housing would be sought from residential development.

Brighton Road Conservation Area Statement (adopted April 2018)

- 4.23 This Statement identifies the northern part of conservation area as forming a key gateway into the town centre. It states that the area immediately south of the level crossing:
“significantly contributes to the overall townscape value of Crawley, providing a historic entrance to the town centre. There are four important ‘focal’ buildings – the Listed signal box, the locally listed Nightingale House, the Imperial Cinema and the Railway Hotel – which together provide the Conservation Area with its most notable group of historic buildings.”

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- 4.24 The statement recognises that buildings in the key commercial frontages are urban in character and close to the pavement. In terms of new development, the Statement highlights the need to fit with the historic townscape or be of a modern subservient design. Proportions, height and enhancement of important features are also key issues to be considered.

Crawley Community Infrastructure Levy Charging Schedule 2016

- 4.25 The Crawley CIL Charging Schedule has been in effect since 17 August 2016 and is also relevant to this application as the proposal would create new residential flats.

Developer Contributions Guidance Note (published July 2016)

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

PLANNING CONSIDERATIONS:-

- 5.1 The main issues for consideration for this planning application are:

- Principle of proposed development
- Design and heritage
- Housing mix and residential amenity for future occupants
- Impact upon neighbouring properties
- Highways, parking and operational requirements
- Sustainability
- Drainage
- Archaeology
- Noise and air quality
- Contamination
- Affordable housing and other infrastructure contributions

Principle of proposed development

- 5.2 The site lies within the Town Centre boundary defined by the Local Plan, but outside the Primary Shopping Area. The Local Plan recognises Crawley town centre as a sustainable and accessible location for a mix of uses, including residential and commercial. Policy H2 identifies the town centre boundary as a broad location for housing and one of the allocated Town Centre Key Opportunity Sites (Crawley Station and car parks) lies immediately to the east. The proposed residential use would introduce activity to this part of the town centre throughout the day, including in the evenings, and could aid the vitality of the surrounding area. The principle of residential use of the site therefore seems acceptable and in accordance with national and local planning policy, although a number of significant and detailed concerns are set out below.
- 5.3 The application proposes a 34sqm coffee shop and a 60sqm commercial unit on the ground floor. The Planning Statement includes a short sequential assessment. Although it finds no alternative sites within the town centre, which seems surprising, the application site is edge of centre and near to other main town centre uses in the High Street and Brighton Road. The Forward Planning team has commented that Class E commercial uses broadly fall within the definition of Main Town Centre uses. They state that other nearby commercial uses and the scale of development proposed "*does not give rise to concerns of a significant negative impact on the town centre. The site is well connected to the Primary Shopping Area, and the presence of a limited amount of ground floor commercial is likely to generate activity in this part of the town centre, adding to its overall vitality and viability.*" On this basis, the ground floor commercial use is also considered acceptable in principle.
- 5.4 Despite the acceptability of the proposed uses, the development represents coverage of almost the entire site. On most sites, that level of development and site coverage would be totally unacceptable and this site is no exception. For the reasons set out below in more detail, the scheme would fail to create a satisfactory impact upon to the streetscene and would form a cramped and unacceptable

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form of development. There is an existing planning policy allocation and planning permission for development of the adjoining site to the east for 300 flats. The proposed development could prejudice that development coming forward, by virtue of its poor relationship to the proposed adjoining scheme. There is also a small area of land to the south which would be rendered undevelopable by the proposal. The scheme fails to take a comprehensive view or to consider adjoining sites. The excessive site coverage and the failure to reflect and satisfactorily address adjoining sites to the south and east is wholly unacceptable. As a result, and for the detailed reasons set out below, development in the form proposed is considered to be overdevelopment and therefore unacceptable.

Design and heritage

- 5.5 Detailed approval is sought for appearance, layout and scale as part of this outline application. The application includes elevation drawings and floor plans. No Design and Access Statement has been submitted, although the Planning Statement purports to cover design issues.
- 5.6 Station Way and the application site are not particularly attractive at present. Much of the south side of Station Way is used for surface car parking and the landscaping is fairly poor. Station Way though is a key focal point for regeneration in Crawley as part of the Growth Programme. Outline permission for 300 flats and a revitalised railway station has been granted and supporting major public realm improvements along Station Way have secured public funding. The intention is to transform the area into a more attractive and welcoming gateway to the town.
- 5.7 The Council's Urban Designer objects to the current proposal. He considers that the *“form of development is wholly inappropriate and that the positioning and massing show little understanding of the site constraints nor a reasonable response to the layout and setting of the adjoining context. Particularly unacceptable is the relationship with the adjoining site to the rear, the overall impact of the massing and massing on the adjoining conservation area and its relationship with the approved outline application to the east.”*
- 5.8 The proposed block would almost fully cover the application site. The minimal space remaining along Station Way would need to be made available for use by pedestrians using or passing the site. There would be no opportunity for landscaping around the building. This lack of vegetation would exacerbate the poor quality and dominant elevations and offer no softening or relief to the scheme. This would be unacceptable, particularly in a prominent and busy location like this.
- 5.9 The proposed building would project forward of the adjoining Station Gateway proposal by approximately five metres. This would expose the majority of its five storey blank side elevation to anyone approaching from the east. The dominance and lack of design interest of this elevation, together with the prominent location, is considered unacceptable in urban design and streetscene terms. To the rear, the building would sit hard on the boundary of an area of land currently proposed to be used as communal outdoor space for the adjoining Station gateway development. The scheme's relationship with both adjoining sites is very awkward.
- 5.10 The detailing of the building also appears to be very poor. The windows seem to have no significant recess from the brickwork. This, combined with the siting on the back of the pavement, would create claustrophobic and unacceptably flat north elevation. The residential entrance is poorly defined and looks little different to the adjoining bin store and plant room doors. The windows to the commercial unit are small and residential in appearance. Overall, the elevations are plain with little relief or design quality.
- 5.11 The site is in a sensitive location in heritage terms. The Brighton Road conservation area lies immediately to the south of the railway and the nearby signal box is a Grade II listed building. Nightingale House is a locally listed building. The site, which has no above ground development, is currently screened in views from south of the railway by the low level vegetation on the land between the site and the railway. Clearly the relationship would change if the proposed development were to proceed. Comments are awaited from the Council's Heritage consultant and the Planning Committee will be updated on these.

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- 5.12 The site lies within the Long Distance View Splay from Tilgate Park. The five storey height though would be viewed in the context of the town centre though and would not have a significant impact upon the Long Distance View.
- 5.13 Overall, the proposed scheme's layout, appearance, design, detailing and scale is extremely poor and totally unacceptable in this location. Refusal is recommended on this basis.

Housing mix and residential amenity for future occupants

- 5.14 The proposal would comprise two 1 bedroom (1 person) flats, nine 1 bedroom (2 person) flats, three 2 bedroom (3 person) flats and one 2 bedroom (4 person) flats. Policy CH5 of the Crawley Borough Local Plan 2015-2030 states that the minimum size of all dwellings should equate to the Nationally Described Space Standards. These state that the gross internal floor area of a 1 bedroom 1 person unit should be at least 39 sqm, a 1 bedroom 2 person unit should be at least 50 sqm, a 2 bedroom 3 person unit at least 61 sqm and a 2 bedroom 4 person unit at least 70 sqm. All of the units proposed would meet or slightly exceed these floor areas. The proposal includes a mix of unit sizes. Although focussed on smaller units for 1-2 people, there are some larger, potentially family sized, units and the proposed mix is considered to accord with local policy.
- 5.15 Each flat would have a recessed balcony or roof terrace. These broadly comply with the minimum space requirements, although for many the externally opening door will effectively reduce the usable external space. Five of the recessed balconies are both the minimum 5 sqm in area and also north facing. They would receive no direct sunlight and would overlook Station Way. They would form dark, noisy areas and would not form attractive usable private amenity space. There would be six similar sized, south facing balconies/terraces. These would receive direct sunlight. However, they would be likely to suffer railway related disturbance and, for the two at ground floor level, sunlight could be blocked by the boundary treatment immediately to the south. The remaining three balconies/roof terraces would be west facing. Unfortunately the second floor recessed western balcony has been designed with a southerly side wall that would block a significant amount of daylight. The west facing balconies would all be likely to suffer noise disturbance from the road, level crossing and railway. Overall, despite meeting the minimum size requirements, the proposed outdoor private amenity space is considered to be of extremely poor quality and to be contrary to Policy CH5 and the content of the Urban Design SPD.
- 5.16 The two ground floor units would have both bedroom and living room windows facing directly onto the pavement outside the block. The bedrooms would be single aspect and north facing. Residents would be likely to suffer considerable disturbance from pedestrian and vehicle related movements directly outside their windows. In terms of privacy, outlook, noise and defensible space, these flats are considered wholly unacceptable. Their south facing living room/kitchen windows would face directly onto the site's southern boundary. This is currently marked by railings and the applicant has no control over potential fencing or other enclosure to the south. This could result in a fence of up to two metres in height being erected immediately outside these windows. One flats is located between the building's plant room, commercial bin store and commercial unit. The upper floor flats are all either single aspect north facing units or contain bedrooms that are north facing.
- 5.17 No BRE Daylight/Sunlight assessment or overheating assessment has been submitted with the application. In the absence of such an assessment, it is considered that the applicant has failed to demonstrate that the north facing habitable rooms and north facing single aspect flats would benefit from adequate levels of natural light or that the south facing units would be acceptable in terms of overheating.
- 5.18 Outlook from all the flats would be poor, with the lower levels suffering particularly badly. The building would be located at the back of the pavement, offering no separation distance or scope for landscaping between the building and Station Way. Station Way at this point is busy and frequently the subject of queuing traffic due to the traffic lights and level crossing. To the south is an outlook onto a currently poorly landscaped area of land containing a telecommunications mast, with the railway beyond. Although the landscaped area may be improve as part of the Station Gateway proposals, the flats would generally suffer from an extremely poor outlook.

Impact upon neighbouring properties

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- 5.19 There are existing residential properties to the north on the opposite side of Station Way in Bastable House. These have some south facing windows. These windows would be approximately 18 metres from the proposed building at the nearest point. The proposal would be three storeys high at this point. Although the distance falls below the 30 metre distance that would normally be sought between windows for buildings of this height, the relationship is across a busy street and there are similar relationships between residential properties in the vicinity. Some overlooking and possible overshadowing may result but, in this location, is not considered sufficient to warrant refusal.
- 5.20 To the south is the Railway public house, which has flats above. The distance between existing and proposed windows would be 23 metres. These are probably secondary windows to the flats and any views would be across the railway line. The proposal, as it lies to the north, would not overshadow The Railway public house. The relationship is considered satisfactory in residential amenity terms.
- 5.21 It is possible that residential use occurs on the first floor of the Taj Mahal restaurant, although the lawfulness of that has not been established. The window to window distance would again be around 23 metres and the relationship is considered similar to others in the vicinity.
- 5.22 The proposed Station Gateway development lies immediately to the east. It has outline planning permission and there is a current undetermined Reserved Matters application for the block adjoining the current application site. The east elevation of the proposed building would be blank. The proposed adjoining Station Gateway building would have side windows (to rooms primarily facing north), the nearest of which would be around four metres from the blank side wall of the proposal. Although these side windows are secondary in nature, the side elevation of the proposal, due to its height and projection forwards, would be visually dominant upon these flats and would block afternoon sunlight. The other side windows in the Station Gateway scheme would face onto the land between the current application site and the railway. This is proposed to form a communal garden for the Station Gateway residents. Although angled views may be possible between the current proposal and the Station Gateway building, this should not result in direct or unacceptable levels of overlooking. However, the proposed south facing windows would directly overlook the proposed communal garden area to the south. Whilst less privacy can be expected in a communal garden, its users would certainly feel themselves overlooked.
- 5.23 Overall, the proposed development is considered to have a satisfactory relationship to existing neighbouring buildings in terms of overshadowing and overlooking. However, it has not been designed to properly take account of the proposed development on the allocated site to the east or the proposed garden area for the separate adjoining Station Gateway scheme to the south.

Highways, parking and operational requirements

- 5.24 The proposed scheme would provide no on-site vehicle parking. A lay-by would be provided at the front of the site, in a shared surface form with the pavement. A small commercial bin store would be located immediately adjacent to the loading bay. The residential bin store is proposed further east adjacent to the entrance to the flats.
- 5.25 The Local Highway Authority has confirmed that it objects to the current layout proposed. With regard to the proposed loading bay, they state that a Stage 1 Road Safety Audit and swept path tracking diagrams are required to demonstrate the safety of the bay and its usability by larger vehicles, including refuse vehicles. These have not been provided. The proposed layout leaves insufficient space between the loading bay and the north elevation to meet even the minimum footpath width of 1.5 metres. Ideally two metres would be sought to allow for satisfactory wheelchair space. Vehicles within the bay would leave only around 0.85m to the main north elevation. This would not allow wheelchair access and fails to meet the required minimum footpath width. The problem would be exacerbated during commercial refuse collections, since opening the doors would completely block the footpath and force pedestrians onto the road itself to pass. The Local Highway Authority also recognises that there are proposals to alter the road network in the vicinity, which may impact upon the bay.
- 5.26 The Council's Refuse and Recycling team considers the proposed residential bin store to be of adequate size, but raises some concern about the orientation of the containers. They also express

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concern about the pull distance from the bin store to the temporary loading bay. Revision to the scheme is sought to achieve a maximum pull distance of ten metres and, as with the highway authority, clarification is sought that a refuse vehicle would fit into the bay. A dropped kerb and parking restrictions to the loading bay are sought to ensure its availability for collections.

- 5.27 The applicant has submitted a Delivery and Servicing Plan. Whilst useful that these issues are being considered, it is considered unsatisfactory in a number of respects. The plan suggests that, if the lay-by outside the site is occupied, alternatives will be available outside the proposed Station Gateway development. The pull distances to the Station Gateway lay-bys would though far exceed those required by the Refuse and Recycling team. Reference is also made to a number of issues, such as the use of quieter electric vehicles, over which the applicant has no control.
- 5.28 Station Way is one way so, by the time drivers were able to see that the application site's proposed bay is occupied, they would be beyond the Station Gateway lay-bys, unable to access them and committed to a left turn over the level crossing. A 3 kilometre drive along Brighton Road, Southgate Drive, Southgate Avenue and back along Station Way would be required to return to the same point. Clearly the temptation for drivers to simply park on the pavement or block the southern lane on Station Way would be considerable.
- 5.29 Whilst this site is in a sustainable town centre location where a low level of parking can be acceptable, the proposal is considered unacceptable in parking terms due its specific siting on a difficult junction close to the level crossing. Any development generates a level of traffic movements and, for fifteen flats, a coffee shop and a commercial unit, this would be likely to be significant. The inability of vehicles to vacate the highway here is likely to exacerbate queues caused by the level crossing and may lead to the southern lane of Station Way being blocked. Other developments to the east along Station Way have incorporated a level of parking below the minimum standards, whilst not being car free, and it is considered that a scheme with no vehicle parking in this awkward location is not acceptable.
- 5.30 Cycle storage for 18 cycles is proposed for the residential units. This represents a shortfall of 1-2 cycle parking spaces against the parking standards. The store, whilst securely located within the lobby, would involve use of a roller shutter and pushing cycles in/out of the lobby area. It is likely to prove awkward to use and may also inconvenience pedestrians entering/leaving the building. No provision is shown for the commercial units, for which two spaces would be required. A sheltered Sheffield stand may suffice for the commercial units, but it is difficult to see how that could be provided without further blocking the footpath.
- 5.31 Network Rail has also objected to the scheme. They raise *“serious concerns that the proposed development could obstruct the view of the Crawley High Street level crossing and the level crossing signals. When approaching the level crossing from Station Way onto the High Street (A2219) there is a sharp left turn, this combined with vehicles often needing to stop south of the level crossing to turn right onto Springfield Road and an obstructed view of the level crossing for the approaching cars results in an increased risk of an accident occurring on or near the crossing. It is therefore essential that good visibility of the crossing is maintained. Further discussions with Network Rail is needed to ensure that the proposed development does not increase the risk to the operational railway by reducing the visibility of the level crossing.”* The applicant appears not to have addressed these serious concerns with Network Rail and, in the absence of agreement on this, the proposal is considered to have an unacceptable relationship to the level crossing.
- 5.32 The scheme fails to properly address its access, servicing or parking requirements and its relationship to the level crossing. It is considered unacceptable in transport terms as it stands. Refusal is recommended on this basis.

Sustainability

- 5.33 The applicant has submitted a Sustainability and Energy Statement. The report states that the scheme can achieve carbon reduction and energy efficiency measures in line with local policy. It also states that BREEAM Excellent for energy and water credits can be achieved and is targeted. Although a District Energy Network is not in place to serve the development, the proposed

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communal heating system could be connected at a later date. The dwellings would have water efficient fittings to meet the requirements of Policy ENV9.

- 5.34 Whilst further detail would be required by condition if the scheme were acceptable, it is considered that the application provides sufficient information to demonstrate that the scheme could meet the required sustainability levels.

Drainage

- 5.35 The application site is not in an area at risk from flooding according to Environment Agency records. Thames Water responded that the applicant should follow the sequential approach to disposal of surface water. Thames Water approval would be required for surface water discharge to a public sewer. Groundwater discharges to a sewer should be minimised. No objection is raised on waste water infrastructure grounds. It is considered that drainage matters associated with the scheme could be satisfactorily resolved by condition if the scheme were otherwise acceptable.

Archaeology

- 5.36 The site lies within an Archaeological Notification Area based on the Medieval settlement of Crawley. The Medieval settlement was a focus for iron working and the site lies at its southern end. The applicant has submitted an archaeological assessment. The report concludes that no further work is needed given the site's location at the southern bounds of the settlement, its small size and possible subsequent physical impact on the site. The Council's Archaeological consultant does not accept the report's conclusions that no further work is necessary. However, she is satisfied that archaeological remains of a standard to warrant preservation in situ are unlikely and that a condition could be attached requiring agreement and implementation of a programme of archaeological investigation. This condition would have been recommended if the scheme were otherwise acceptable.

Noise and air quality

- 5.37 The applicant has submitted noise and air quality reports. The site lies in a noisy location, with three lanes of traffic running immediately to the north and trains running to the south. It is also close to the level crossing. Traffic speeding up and slowing down, as caused by the traffic lights outside the site, can be particularly noisy. Environmental Health officers have considered the applicant's noise report and raised a number of concerns. They do not consider that the report adequately characterises noise on the site. Its noise monitoring was primarily undertaken at the Taj Mahal restaurant opposite, rather than on the site itself. A limited attempt to compare the off-site monitoring with on-site monitoring was undertaken for a single unrepresentative hour. The results revealed significant differences between the two monitoring locations.
- 5.38 Environmental Health comments that the noise levels are, at best, within the Significant Observable Adverse Effect level. Given the limitations of the survey work, it is possible that the site falls within the Unacceptable Adverse Effect Level, where development would be strongly resisted.
- 5.39 In summary, Environmental Health state *"the development site experiences significant noise from a variety of sources. These have not been adequately characterised and the findings incorporated into the decision making for determining whether or not development is appropriate. Even if development can be shown to be appropriate, there is still a requirement for good acoustic design which this application does not contain. It is quite possible that the sound levels are such that permission should be refused in accordance with local and national policy. We recommend that the application is refused."* Refusal is recommended on this basis.
- 5.40 Comments on the air quality report are awaited and the Planning Committee will be updated on this later.

Contaminated land

- 5.41 The site was formerly used as railway land, with the original Crawley station being to the south. Adjoining land formed a wood yard and railway service yard. The applicant has submitted a

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Preliminary Risk Assessment suggesting that further intrusive investigation should be carried out. The Contaminated Land officer has reviewed the report and accepts its findings. He recommends a condition to address contamination, which could have been attached if the proposal were otherwise acceptable.

Affordable housing and other infrastructure contributions

- 5.42 Policy IN1 of the Local Plan requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will implement a Community Infrastructure Levy (CIL). The proposed development would be liable for a CIL contribution.
- 5.43 Policy H4 of the Local Plan and the Affordable Housing SPD are both relevant to this proposal. The Local Plan policy seeks provision of 40% affordable housing and an additional 10% low cost housing within the scheme. Of this, a minimum of 70% should be Affordable Rent or Social Rent, with up to 30% being Intermediate tenure. The applicant has submitted a Viability Assessment. This does state that the scheme would be viable with a financial contribution of £116,006 towards affordable housing. The report states that this represents 25% of the required contribution. That contribution is not offered though and the report concludes *“only a nil affordable housing scenario generates a profit which we consider to be marginally viable (at 6.99% on GDV / 7.51% on cost). Even at this level of profit, the developer will need to take a view as to whether they can access funding at a reasonable rate given the returns fall below the 20% on GDV benchmark which lenders often require.”* No affordable housing contribution, either on-site or off-site, has been offered by the applicant.
- 5.44 The Council’s Housing Enabling and Development Manager has reviewed the assessment. He raises strong concerns about a number of aspects of the applicant’s assessment. The applicant incorrectly assumes an off-site contribution would be sought under Policy H4. For this major development, an on-site contribution would be sought. The Housing Enabling and Development Manager comments that this would have the knock-on effect of reducing the CIL contribution. He also states that the build costs used are *“exceptionally high,”* that the existing use value as a car park has been *“over-inflated”* and that the allowance for external works is excessive given the site coverage. The Housing Enabling and Development Manager objects to the application if the applicant is not willing to make the required affordable housing contribution.
- 5.45 Policy CH6 of the Local Plan deals with replacement and additional tree planting to maintain Crawley’s tree cover and character. An additional tree is sought for every new residential unit. Ideally these would be planted on site but, with the site coverage proposed, tree planting is clearly is not possible in this case. A contribution of £10,500 (15 units x £700 per tree) in accordance with the policy and the Green Infrastructure SPD would therefore be sought. The applicant’s Planning Statement fails to address this issue.
- 5.46 Policy ENV5 of the Plan and the supporting Green Infrastructure SPD deal with the need for open space and recreation facilities arising from increased residential population. Provision of such facilities on-site or contributions towards provision off-site will be sought where shortfalls are identified. In this case, the proposal has no capacity to accommodate on-site open space and recreation due to the site coverage by the proposed building. The Forward Planning team has assessed the scheme in respect of this provision. Given likely occupancy and shortfalls in the area, contributions would be sought towards provision for children/teenagers, amenity green space, allotments, outdoor sports space, parks and natural green space. Using the methodology set out in the SPD, a total contribution of £12,741.25 is sought. Again, the applicant’s Planning Statement fails to address this issue or support a contribution.
- 5.47 The applicant’s position on affordable housing provision, tree planting, open space and recreation is unacceptable. Refusal is recommended on these grounds as a result.

CONCLUSIONS:-

- 6.1 The footprint of the proposed development would almost entirely cover the application site. The proposed design is poor and would have an unacceptable relationship to both the streetscene and the proposed high quality development and public realm improvements along Station Way. It would

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also relate poorly to the built development and communal amenity space proposed within the adjoining allocated Station Gateway scheme. No parking is proposed on-site, the proposed loading bay is considered unsatisfactory to meet the building's needs, use of the cycle parking would be awkward and the development would have an unacceptable impact upon pedestrians and vehicles passing the site. It also fails to satisfactorily address the operational requirements of the railway. The applicant has failed to demonstrate that the proposal is acceptable in terms of noise and the proposed layout and design is unacceptable in terms of amenity for future residents. The application fails to make appropriate provision for affordable housing, trees or open space and recreation. Overall, the proposal is considered to be of extremely poor quality and to represent substantial overdevelopment of the site. Refusal is strongly recommended.

RECOMMENDATION RE: CR/2020/0589/OUT

REFUSE for the following reasons:

1. The proposed development, by reason of its site coverage, layout, scale, massing, relationship to adjoining sites and proximity to Station Way, represents substantial overdevelopment of the site and is contrary to policies CH2 and CH3 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
2. The proposed development, by reason of its siting, design, massing, scale and external appearance, would form a dominant and unattractive building that would fail to respect the existing or proposed Station Way streetscene. There would be no opportunity to soften the building through the use of landscaping and its set back from the Station Way carriageway is totally inadequate. It represents a wholly unacceptable form of development and is contrary to policies CH2 and CH3 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
3. The proposed development, by reason of the orientation of the flats and their amenity space, together with their proximity to Station Way, would suffer an unacceptable loss of privacy, provide extremely poor outlook and provide inadequate natural light and sunlight to windows and balconies. As such, the proposal would fail to create a satisfactory residential environment for future residents contrary to policies CH3 and CH5 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
4. The applicant has provided insufficient evidence to demonstrate to the satisfaction of the Local Planning Authority that the occupiers of the proposed noise sensitive residential (C3) development would not suffer significant disturbance and be harmed by noise from nearby road and railway sources. The applicant has also failed to demonstrate that acceptable mitigation can be put in place to address these significant noise concerns. The proposed development is therefore contrary to policy ENV11 of the Crawley Borough Local Plan, the National Planning Policy Framework and the Noise Policy Statement for England.
5. The proposed development would have an unacceptable and over dominant relationship to the development proposed on the adjoining allocated Station Gateway site and would dominate and overlook the landscaping area to the south. It fails to take a comprehensive approach to development in this area. The proposal is contrary to policies CH2, CH3 and CH4 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
6. The proposed development, with its lack of on-site vehicle parking, below standard cycle parking and reliance on a single loading bay, fails to provide for the vehicular traffic that it would generate. Insufficient evidence has been submitted to demonstrate that the proposed servicing arrangements could operate satisfactorily without adversely affecting either the free flow of traffic along Station Way and over the level crossing or the safe movement of passing pedestrians and wheelchair users. The applicant has failed to demonstrate that the proposal would not affect the safe and acceptable operation of the nearby railway level crossing. The proposal is therefore contrary to policies IN1, IN3 and IN4 of the Crawley Borough Local Plan, the parking standards set out in the Urban Design Supplementary Planning Document and the National Planning Policy Framework.

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7. The applicant has failed to demonstrate that the proposed residential refuse and recycling arrangements would be suitable to enable the development to meet its own operational needs, taking into account the orientation of the store, the required container sizes and the travel distance to the loading bay. The proposal is thus contrary to policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.
8. The proposal would not make any provision towards affordable housing, despite the significant and demonstrated need in Crawley. Non-viability of the scheme has not been demonstrated. The proposed development is therefore contrary to policy H4 of the Crawley Borough Local Plan 2015-2030, the Affordable Housing Supplementary Planning Document and paragraph 64 of the National Planning Policy Framework.
9. An agreement is not in place to ensure that the appropriate contributions for tree planting and open space are secured. The development is therefore contrary to policies CH6, ENV5, and IN1 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure Supplementary Planning Document.

1. NPPF Statement

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

- Informing the applicant of identified issues that are so fundamental that it has would not be possible to negotiate a satisfactory way forward due to the harm that would be caused.
- Providing advice on the refusal of the application to solutions that would provide a satisfactory way forward in any subsequently submitted 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
PLANNING COMMITTEE - 12 January 2021
REPORT NO: PES/358(c)

REFERENCE NO: CR/2020/0592/FUL

LOCATION: [NORTHSIDE, BALCOMBE ROAD, POUND HILL, CRAWLEY](#)
WARD: Pound Hill North & Forge Wood
PROPOSAL: FULL PLANNING APPLICATION FOR NEW RESIDENTIAL DWELLINGS, ERECTION OF 8 NO. OF 2 BEDROOMS AND 6 NO. OF 3 BEDROOM UNITS

TARGET DECISION DATE: 25 January 2021

CASE OFFICER: Mrs K. Palmer

APPLICANTS NAME: Albany Homes Southern Ltd
AGENTS NAME: RDJW Architects Limited

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
5653 001 Rev	D	Location Plan
5653 002 Rev	D	Block Plan (as existing)
5653 003 Rev	E	Block Plan (as proposed)
5653 004 Rev	J	Site Plan (as proposed)
5653 005Rev	D	Proposed Roof & Floor Plans
5653 006 Rev	C	Proposed Elevations- 2 Bedroom Terrace
5653 007 Rev	D	Proposed Roof & Floor Plans- 3 Bedroom Terrace
5353 008 Rev	D	Proposed Elevations- 3 Bedroom Terrace
5653 009 Rev	C	Proposed Floor & Roof Plans- 2 Bedroom Terrace
5653 010 Rev	C	Proposed Elevations- 2 Bedroom Terrace
5653 013 Rev	C	Proposed Tree Removal Plan
5653 014 Rev	C	Proposed Hard Landscaping Plan
5653 015 Rev	C	Proposed Soft Landscaping Plan
10553-1600 Rev	P1	Drainage Layout

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL Aerodrome Safeguarding - No objection subject to the inclusion of an informative to cranes.
2. WSCC Highways - Comments that whilst the principle of the development is acceptable, more information is required in terms of visibility splays, and up to date Stage 1 Road Safety Audit and Transport Statement to ensure the impact upon the operation of the highway would be acceptable.
3. Thames Water – Comments that with regards to waste water, there is insufficient information and having been unable to successfully contact the developer regarding the waste water infrastructure needs for the site and foul water drainage it requests a condition in relation to confirmation that either capacity exists off-site to serve the site or a phasing plan has been agreed with the LPA or that all wastewater network upgrades required to accommodate the additional flows from the development have been completed. This is required to avoid flooding and/or potential pollution incidents.
4. CBC Drainage Officer - No objection subject to condition.
5. CBC Housing Enabling & Development Manager – While an off-site affordable housing contribution has been offered – there is no detail to understand if the offer would be policy compliant.
6. CBC Planning Arboricultural Officer - Objection - The development would result in conflict with the trees both on the eastern and western boundaries, and due to the arrangement of houses and the fact that the site is not very wide, and flanked on one side by large Oak Trees and on the other by a

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dense tall line of trees along Balcombe Road. There is also a lot of hard surfacing proposed which leads very little space for soft landscaping/ replacement planting etc.

7. CBC Refuse & Recycling Team – Comments - Due to the amount of information available with regards to bin provision, storage for each property and presentation of bins on collection day and an indication of where the collection vehicle will be able to access in order to make collection is not known.
8. Ecology Officer –To be reported verbally at Planning Committee
9. CBC Energy Efficiency & Sustainability – To be reported verbally at Planning committee
10. CBC Countryside & Open Space -The intended loss of trees within the site due to the proposed development, would require a total of 21 replacement trees to be provided. In addition to the replacement tree planting required for the loss of existing trees on site, this application is for 14 new dwellings. With a total of 35 trees required to be provided to meet the requirements of Policy CH6. Open Space, Sport and Recreation- Contributions of **£11,882.50** will be required as no on-site provision has been made.
Green Infrastructure and Biodiversity- to meet Policy ENV2 a 15-meter buffer between the ancient woodland located on the other side of Balcombe Road and the proposal is to be in place in order to align with Natural England's advice.
11. Environmental Health- Air Quality – there is insufficient information on air quality to allow an assessment on the sustainability of the proposals in terms of pollution from traffic emissions. Further information in the form of an air quality assessment and an emissions mitigation assessment in order to assess the application and provide comments with respect to the air quality.
Noise – Objection - The majority of the units and the garden areas would be in the unacceptable adverse effect level of noise. The proposed mitigation measures are also deemed to be unacceptable.
12. Crawley Cycle and Walking Forum – Request for cycle provision to be increased based on the Crawley Borough Council Urban Design SPD, which requires 2 cycle parking spaces for 2 or 3 bedroom houses. The sheds used for cycle parking should be accessible via a garden gate, without having to go through the house. The provision of a connection to the shared path to the north of the site is crucial and would make it possible for both pedestrians and cyclists to access the local cycle and pedestrian network. At the site entrances the corner radii should be kept as tight as possible, to reduce turning speeds. Ideally, the site entrances would have the path crossing on a raised table, with pedestrian and cycle priority.

NEIGHBOUR NOTIFICATIONS:-

DAFFODIL CRESCENT: 31,35,37,43,57,41,53,65,67,33,49,51,39,63,47,55,59,69,45,61

RESPONSES RECEIVED:-

There have been three neighbour responses received. Objections/comments are summarised below:-

- Support of the relocation of the car-wash which produces a significant amount of noise pollution.
- The development would change the immediate surroundings and woodland view
- Significant loss of outlook especially with regards to plot 7
- Loss of privacy
- Not in-keeping with the design style of the Forge Wood Development or the local area in general,
- Potential loss of light
- Concern for distress to the protected trees along the site boundary, which provide amenity benefit to houses behind.

1. THE APPLICATION SITE:-

- 1.1 The site lies to the immediate north of the semi-detached property Northside and comprises a parcel (0.49ha) of land. The site is partially undeveloped land in the north whilst the southern end of the site has florist and car-wash uses operating and an extensive area laid to hardstanding. Directly to the west of the site is Balcombe Road and to the east are the rear gardens of dwellings within the neighbouring Forge Wood development. It is a long roughly rectangular, relatively narrow piece of land some 150m in length. It is 34m wide at the southern boundary, tapering to 28m wide at the northern boundary.

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- 1.2 To the north of the site is a Public Footpath which runs from Balcombe Road east towards the M23. On the opposite side of Balcombe Road are trees and landscaping. To the south of the application site is the dwelling house Northside currently linked to the florists that forms a part of the application site. Overall the site is about 1m lower than the land to the east currently being built out as the Forge Wood neighbourhood.
- 1.3 The site is relatively flat, although the trees along the east boundary are on elevated land relative to the application site. The central portion of the site is at a relatively lower level than its western and eastern boundaries. There is a large un-landscaped bund near to the middle of the site, and at the southern end of the site is the car-wash area includes two single storey buildings and a large area of hardstanding used for access/parking and the only current entrance into the site itself.
- 1.4 The site, whilst within the built up area, has a rural character, with trees along its Balcombe Road frontage and other boundaries. Its relatively undeveloped state it is complementary to the existing form and pattern of the development along Balcombe Road that comprises of a low density of buildings, the sporadic siting of dwellings and other commercial development, with extensive frontage vegetation. There are also substantial areas of trees and woodland in the vicinity, including ancient woodland (Titchmeres Wood) to the south west.
- 1.5 A Tree Preservation Order no. 16.16.4 (Wiltshire's Farm Shop, Balcombe Road, No.1) applies to the site and covers 20 individual specimens (13 oak, 5 ash and 2 Norway maple) and a group of understorey trees comprising hawthorn, yew, hazel and elder along the western boundary.
- 1.6 In summer 2014 the unauthorised felling of 6 individual oak trees, removal of understorey trees and surgery to 2 oaks took place. Prosecution action has been undertaken relating to the unauthorised felling of 5 of the oak trees. The subsequently served Tree Replacement Notice requires two oak trees to be planted as close as possible to the locations of the felled trees. It has not yet been complied with but the trees are to be planted along the eastern boundary within the site. There is screening from the trees and understorey along the road frontage and some screening from the remaining oak trees on the northern and western boundaries that will be augmented by the trees required to be planted under the terms of the Tree Replacement Notice.
- 1.7 The site is within the Forge Wood neighbourhood area, although it was not included within the red line area for the outline planning permission. Phase 3A of Forge Wood Neighbourhood development lies to the immediate east of this application site, and is currently being built out and the closest houses and flats are now occupied. Phase 1 that includes the new neighbourhood centre is accessed from Steers Lane to the west on the opposite side of Balcombe Road. The Forge Wood development is being erected behind the retained trees and landscaped frontages set back significantly from the main road frontages on Balcombe Road and Steers Lane. Highway works to the north-west at the junction of Balcombe Road and Steers Lane have been implemented as a part of the Forge Wood Neighbourhood development.

2. THE PROPOSED DEVELOPMENT:-

- 2.1 The application is for planning permission for the erection of 8 x two storey 2 bedroom houses and 6 x two storey 3 bedroom houses in four short terraces facing north and south. The houses would be of 2 different house types, for either the smaller or larger units of similar more modern designs. The walls would be differing shades of sand brick with grey brick detailing to the windows, doors and reveals, and the roofs would be tiled.
- 2.2 Two terraces would have 3 x three bedroom houses for, one terrace would have 3 x two bed houses and one terrace would have 5 x two bedroom houses. All four of the short terraces would have hipped roof ends with ridges of the same height. Rear gardens to the houses would either be north or south facing. Each house would be provided with a front garden and beyond this two parking spaces.
- 2.3 At the closest point the houses would be less than 2 metres from the highway boundary with Balcombe Road. The houses would be the same distance or closer to the protected trees along this boundary. Two new accesses are proposed onto Balcombe Road in addition to the retention of the existing car-wash/florist access. A pedestrian footpath is proposed, predominantly within the site behind the protected trees along the Balcombe Road frontage, although at the southern end of the

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site the footpath would be on highway land adjacent to the carriageway to the west of the retained protected trees.

- 2.4 Plots 1, 4, 7 and 12 would have the east boundaries of their rear gardens adjacent to the rear gardens of the houses recently erected as a part of the Forge Wood and the row of protected trees. Plots 3, 6, 11 and 14 would have their rear gardens between 5m and less than 2m from the western of the boundary of the site with Balcombe Road and the western belt of protected trees. Between the buildings and the Balcombe Road an approximate distance of 2 metres would be retained to accommodate the belt of vegetation and trees.
- 2.5 Two areas of hardstanding are shown adjacent to the Balcombe Road, within the tree protection belt for refuse collection points. It is noted that no turning point is proposed for service/larger vehicles.
- 2.6 The plans indicate that the northern part of the site would incorporate a further development shown indicatively with parking to the north, adjacent to the protected trees to the east, west and north. This does not form a part of this planning application but is subject to a separate application under consideration reference CR/2020/0754/OUT.

3. PLANNING HISTORY:-

There are a number of relevant applications relating to parts of the site.

- 3.1 CR/2014/0671/OUT- OUTLINE APPLICATION, WITH ALL MATTERS RESERVED, FOR ERECTION OF 12 DWELLINGS (7 HOUSES AND 5 FLATS)- was refused on 06/01/2015
- 3.2 A further planning application ref: CR/2016/0398/FUL- ERECTION OF 5 X DETACHED DWELLINGS AND 4 X SEMI-DETACHED DWELLINGS TOGETHER WITH LANDSCAPING AND ASSOCIATED ACCESS, was withdrawn prior to determination.
- 3.3 In 2017 planning application ref. CR/2017/0226/FUL - ERECTION OF 2 X DETACHED DWELLINGS AND 6 X SEMI DETACHED DWELLINGS TOGETHER WITH LANDSCAPING AND ASSOCIATED ACCESS, was refused on 30/06/2017 on the following grounds:
 1. *The proposed development by virtue of its prominent siting, layout, size, and built form would be incongruous with the existing street-scene and planned comprehensively planned development of Forge Wood with its associated Design Statement and including the Steers Lane / Balcombe Road character area. The development would be harmful to in the rural street scene of Balcombe Road and result in a form of development that would be visually intrusive, unsympathetic and harmful to the existing pattern and nature and planned character of development in this locality. The proposal is thus contrary to the NPPF and policies GD4, H1, H2 and CH1 and CH3 of the Crawley Borough Local Plan 2015- 2030.*
 2. *The development by virtue of its cramped layout, siting, urban form, and extensive hardstanding, would result in a loss of structural landscaping and cannot provide acceptable mitigation, to the detriment of the street scene and the character of the area contrary to policies CH6 and CH7 of the Crawley Borough Local Plan 2015-2030.*
 3. *The layout of the proposed development in particular plots 2, 4, 5 and 6 would result in houses located within close proximity to protected trees resulting in properties that would be adversely affected by loss of sunlight, daylight and outlook to the rear windows and gardens, leaving little useable amenity area. The development cannot therefore provide a satisfactory environment for future occupiers. The proposal is thus contrary to the NPPF, policy CH5 of the Crawley Borough Local Plan 2015 - 2030 and the advice in Urban Design SPD (for Private Outdoor Space).*
 4. *The relationship of the proposed houses to the retained and the proposed replacement trees on site and trees on neighbouring land would result in an unsatisfactory relationship for future occupiers resulting in ongoing pressure to reduce and remove the trees to the detriment of the character of the area. The proposal is thus contrary to policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030.*

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5. *An agreement is not in place to ensure that the appropriate Green infrastructure provisions can be secured to support the development and the development is therefore contrary to policies CH6 and IN1 of the Crawley Borough Local Plan 2015-2030 and Supplementary Planning Guidance Documents 'Planning Obligations and S106 Agreements' and 'Green Infrastructure'*
- 3.4 Later in 2017 planning application ref. CR/2017/0864/FUL - ERECTION OF SIX DETACHED DWELLINGS TOGETHER WITH ASSOCIATED ACCESSES, PARKING, LANDSCAPING AND SERVICING, was refused on 09/09/2019 on the following grounds:
1. *The proposed development by virtue of its prominent siting, layout, size, and built form would be incongruous with the existing street-scene and comprehensively planned development of Forge Wood with its associated Design Statement. The development would be harmful to the wooded rural street scene of Balcombe Road and result in a form of development that would be visually intrusive, unsympathetic and harmful to the existing pattern and nature and planned character of development in this locality. The proposal is thus contrary to the NPPF and policies GD1, H1, H2 and CH1 and CH3 of the Crawley Borough Local Plan 2015- 2030.*
 2. *The development by virtue of its cramped layout, siting, urban form, and extensive hardstanding, would result in a loss of structural landscaping and cannot provide acceptable mitigation, to the detriment of the street scene and the character of the area contrary to policies CH6 and CH7 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure and Urban Design SPDs.*
 3. *The layout of the proposed development in particular plots 1, 2, and 3 would result in houses located within close proximity to protected trees resulting in properties that would be adversely affected by loss of sunlight, daylight and outlook to the rear windows and gardens, leaving little useable amenity area. The development cannot therefore provide a satisfactory environment for future occupiers. The proposal is thus contrary to the NPPF, policy CH5 of the Crawley Borough Local Plan 2015 - 2030 and the advice in Urban Design SPD (for Private Outdoor Space).*
 4. *The relationship of the proposed houses to the retained and the proposed replacement trees on site and trees on neighbouring land would result in damage and harm to the amenity of the trees and an unsatisfactory relationship for future occupiers resulting in ongoing pressure to reduce and remove the trees to the detriment of the character of the area. The proposal is thus contrary to policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030 and the Green Infrastructure SPD.*
 5. *The development would result in an unacceptable noise environment for future occupiers that cannot be adequately mitigated, harming their quality of life/health contrary to policies CH3, H1 and ENV11, and the Crawley Local Plan Noise Annex of the Crawley Borough Local Plan 2015 – 2030.*
 6. *An agreement is not in place to ensure that the appropriate Green infrastructure provisions and Affordable Housing can be secured to support the development and the development is therefore contrary to policies H4, CH6 and IN1 of the Crawley Borough Local Plan 2015-2030 and 'Green Infrastructure' and Affordable Housing SPD.*
- 3.5 In respect of Forge Wood, the neighbourhood scale development in the wider area, revised outline permission was granted under CR/015/0552/NCC for the erection of up to 1900 dwellings, 5000sq.m of use class B1, B2 & B8 employment floorspace, 2500sq.m. of retail floorspace, a local centre/community centre (including a community hall), a new primary school, recreational open space, landscaping, the relocation of the 132kv ohv power line adjacent to the M23, infrastructure and means of access. This included a masterplan for wider area that included the type of development/constraints that would apply to Balcombe Road, even though parts of this area were outside the application site. Reserved matters applications for different phases of the neighbourhood have been submitted, and some have built out, and are being/are occupied. This includes the development to the east of this site currently under construction as part of Phase 3A. Ref CR/2016/0780/ARM.

4. **PLANNING POLICY:-**

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4.1 The National Planning Policy Framework (revised February 2019):

Paragraph 8 states that achieving sustainable development means the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are:

- a) an economic objective – “to help build a strong, responsive and competitive economy...”
- b) a social objective – “to support strong, vibrant and healthy communities....”
- c) an environmental objective- “to contribute to protecting and our enhancing our natural, built and historic environment...”

Section 5 emphasises the need for the planning system to deliver a sufficient supply of homes including affordable housing.

Section 8 seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible.

Section 9 set out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations.

Section 11 - ‘Making effective use of land’ states in para 117 that “*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*”. Para 122 supports the efficient use of land taking into account

- “a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.”*

Section 12 - ‘Well designed places’ states that good design is a key aspect of sustainable development and that the planning process should achieve the creation of high quality buildings and places. Para 127 states:

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Section 15 ‘Conserving and enhancing the natural environment’ - includes advice on ground conditions and pollution (including noise impacts) and seeks to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

4.2 Crawley 2030: The Crawley Borough Local Plan 2015-2030

The following policies are relevant:

Policy SD1 (Presumption in favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.

Policy CH1 (Neighbourhood Principles) States that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.

Policy CH2 (Principles of Good Urban Design) 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.

Policy CH3 (Normal Requirements of All New Development) 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.

Policy CH4 (Comprehensive Development and Efficient Use of Land) – Development must use land efficiently and not unduly restrict the development potential of adjoining land nor prejudice proper planning and phasing of development over a wider area.

Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents. New dwellings should, as a minimum, meet the nationally described space standards in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings.

Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new

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tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.

Policy CH7 (Structural Landscaping) requires that development proposals should protect and/or enhance structural landscaping. This includes the western side of this site along Balcombe Road.

Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.

Policy H2 (Key Housing Sites) this policy demonstrates how the Local Plan makes provision for the delivery of a minimum of 5100 net additional dwellings in the borough between 2015 and 2030. It identifies Forge Wood as a key deliverable housing site for up to 1,900 dwellings with the period to 2020.

Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.

Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first- time buyers.

Policy IN1 (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.

Policy IN2 requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.

Policy IN3 (Development and Requirements for Sustainable Transport): Advises that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.

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

Policy ENV1 (Green Infrastructure): advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through the following measures. i. development which protects and enhances Green Infrastructure, ii. Development proposals should take a positive approach to designing green infrastructure. iii. Proposals which reduce, block or harm the functions of green infrastructure will be required to be adequately justified.

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.

Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.

Policy ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which area exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.

Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.

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Policy ENV11 (Development and Noise) Advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.

4.3 Emerging Crawley Borough Local Plan 2020 – 2035 (Regulation 19 Draft)

The Local Plan Review 2020-2035 was subject to consultation early in 2020 and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development.
- Policy SD2: Enabling Healthy Lifestyles and Wellbeing
- Policy CL1: Neighbourhood Principle.
- Policy CL2: Making Successful Places: Principles of Good Urban Design.
- Policy CL3: Local Character and Design of New Development.
- Policy CL6: Structural Landscaping
- Policy DD1: Normal Requirements of All New Development.
- Policy DD2: Inclusive Design
- Policy DD3: Standards for All New Dwellings (including conversion).
- Policy DD4: Tree and Landscape Character Planting.
- Policy DD5: Tree Replacement Standards.
- Policy OS2: Provision of Open Space and Recreational Facilities.
- Policy IN1: Infrastructure Provision
- Policy IN3 Supporting High Quality Communications.
- Policy H1: Housing Provision
- Policy H3: Housing Typologies
- Policy H3b: Densification, Infill Opportunities and Small Sites
- Policy H3f: Open Spaces
- Policy H4: Future Housing Mix
- Policy H5: Affordable Housing
- Policy GI1: Green Infrastructure
- Policy GI2: Biodiversity and Net Gain
- Policy SDC1: Sustainable Design and Construction
- Policy SDC3: Tackling Water Stress
- Policy EP4: Development and Noise.
- Policy ST1: Development and Requirements for Sustainable Transport.
- Policy ST2: Car and Cycle Parking Standards.

4.4 Supplementary Planning Guidance and Documents

Urban Design Guide (adopted October 2016)

Para 2.12 Developments should follow existing published guidance, such as Building for Life 12 and Secured by Design and consider the guidance provided in documents such as Manual for Streets. The following provide best practice guidance relating to Urban Design:

Part 2- Good Urban Design.

Part 3 - Section on Residential Development- This includes residential space standards.

Annex 1 Crawley Borough Parking Standards.

Affordable Housing SPD and Summary Guidance Document for Small residential Development (adopted November 2017)

It expands upon policy H4 of the Local Plan and guides developers on the contributions to be sought towards affordable housing from smaller developments.

Green Infrastructure SPD (adopted October 2016)

Includes guidance on designing for trees, open space, biodiversity. It also includes further details on Crawley's Green Infrastructure Network including areas with Structural Landscaping.

Planning and Climate Change SPD (adopted October 2016)

Sets out advice on making developments sustainable.

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5. PLANNING CONSIDERATIONS:-

The main considerations in the determination of this application are:

- Principle of the development
- The visual impact of the proposed dwellings on the character of the area and the street scene.
- The adequacy of the proposed dwelling for future occupants including noise
- The impact on the amenities of the occupiers of neighbouring properties
- Trees and structural landscaping
- Highway safety, access and parking
- Infrastructure contributions
- Flooding and Drainage

Principle of the development

5.1 The site lies within the built up area and the wider area allocated for the Forge Wood Neighbourhood (Crawley Borough Local Plan 2015-2030) and so in general terms, development for residential purposes is acceptable in principle. The current proposals would now involve the loss of the car-wash and florist businesses. Whilst due to the site's land designation there is no policy objection to the loss of these business, it is noted that they make a positive contribution to the local economy of this area.

The visual impact of the proposed dwellings on the character of the area and the street scene.

5.2 The existing site is partly undeveloped and partly incorporates a car-wash business and florist shop. There are also protected trees along its east, west and north boundaries. It has a treed frontage with under storey along Balcombe Road between the florists' shop/car wash operation in the south of the site, and an east-west running public footpath to the north. The southern end of the site is more open with views into the site from the road, although other than the hardstanding and the two small businesses, the site is undeveloped and has an open aspect, indicative of its former more rural context and character. It is defined within the Local Plan as an area of Structural Landscaping and policy CH7 therefore also specifically applies in addition to the CH1 Neighbourhood Principle, CH2 Principles of Good Urban Design and Policy CH3 Normal Requirements of All Development. Further guidance in regard to the application of these policies is set out in the Green Infrastructure and Urban Design SPD's.

5.3 Balcombe Road is rural in character with individually designed houses and smaller scale commercial developments, interspersed by trees, woodland, hedges and undeveloped land. Development is sporadically located along the road. The road has extensive woodland along both sides and the site itself forms part of a wider sylvan setting with trees overhanging the highway and providing significant cumulative amenity to the street scene. Most of the housing pre-dates the new town and is a mix of differing ages, designs and layouts. Development along the road is sporadically sited with limited numbers of access points. The more recent development which forms part of the Forge Wood neighbourhood permitted under ref. CR/2015/0552/NCC has been specifically designed to be set back from the road with a very limited number of major landscaped access points and retains the rural character of Balcombe Road. The Forge Wood Masterplan sets out the design guidance for the development of the new neighbourhood and in particular requires development along the Steers Lane and Balcombe Road frontages to respond to its wooded, low density character, with housing being predominantly detached with landscaped frontages. The existing character of the site and surroundings still retains these characteristics as set out in the Forge Wood Masterplan.

5.4 The development proposes 14 smaller dwellings set within four terraces facing each-other within the site, with their western flank elevations facing the Balcombe Road. The furthest terrace block from the road would be most the northerly, which would be located 3 metres from the western boundary (plot 3) with Balcombe Road. The most southerly terrace block would, at its closest point be located between 1-2m from the boundary with Balcombe Road, with no vegetation to screen its relatively blank expanse of wall, that would incorporate just one high-level window. The rural character of the site and the positive contribution that this site makes to the woodland setting present along the extent of Balcombe Road and within the wider area, which has retained its sylvan setting, despite being significantly developed in many places behind the main arterial routes, would be lost

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- 5.5 The area of structural landscaping would be significantly diminished, (effectively lost by the development) resulting in a harmful higher density urbanised residential area, with a harmful impact upon the visual amenities to the street scene.
- 5.6 All of the flank elevations of the western ends of the terraces would be close to the western boundary of the site. The houses would also be particularly conspicuous due their form, close relationship to the road and the removal of structural landscaping across the frontage to accommodate the new access points. The close relationship of the houses to the frontage planting and the position of the new footpath and hard standing for two refuse areas adjacent to the Balcombe Road highway boundary combined with the narrow shape of the site would result in the built form being located close to the road in order to achieve the number of dwellings in the form proposed. This would leave only a very narrow strip of land (if possible at all), available for vegetation to be retained/planted to the front as is indicated on the plans. It is considered therefore that as at some points the vegetation belt there would be only 1m-2m between the footpath and the edge of the highway, whether there would be adequate space along the frontage for the planting retention of any meaningful landscaping. The houses would therefore by virtue of their close siting to the road frontage, and the amount of hardstanding required result in the loss of further structural landscaping along the frontage, and on-going pressure for its removal/reduction and the lack of space for reinforcement planting to mature. It is therefore considered that the development would have a significant adverse impact upon the structural landscaping of this part of Balcombe Road.
- 5.7 The houses proposed would all be of a very similar design, with slight variations in size and colour/materials. They are considered to be of a uniform design and very similar character, with a very urban high density terraced form and layout unlike the more varied character of other sporadic and early New Town developments along the Balcombe Road. The number of dwellings on the site and the need to meet car-parking provision requirements results in a requirement for two extensive areas of hardstanding measuring approximately 320 square metres in area. In addition the number of houses, their relative uniformity in terms of overall design, extensive hardstanding/parking areas, the need for boundary treatments to provide privacy to private amenity areas and their close relationship to the boundary with Balcombe Road would be an incongruous and harmful feature amongst the spaciouly separated, mixed/eclectic low density character of development along the Balcombe Road.
- 5.8 The scheme would be of a similar density the Forge Wood erected to the east and would have a very urban character. Whilst this site is adjacent to this new residential development, the site has its frontage onto Balcombe Road, which has a very different rural wooded character. Balcombe Road and the surrounding main roads in this area are generally characterised by individually designed detached dwellings located on large spacious plots with larger front gardens, sitting deep within their plots away from the street and interspersed by trees, woodland, hedges and fields/undeveloped land. Most of the housing pre-dates the new town and is an interesting mix of differing styles and designs. This development would be out of keeping with and alien to the established rural, semi-woodland character of development in the immediate area (Balcombe Road, Steers Lane, Radford Road) and would not reflect or respect the existing density of development, harmful to visual amenity, and the rural low density character of Balcombe Road.
- 5.9 In terms of design detailing the buildings are shown with their flank elevations facing the road and so would not address the street or be reflective of the layout/character of existing residential dwellings along this part of Balcombe Road which typically front onto the road. With very little detailing proposed in the flank walls, they would also create an unattractive feature when viewed from the road. Plot 1, and one of the parking spaces are located under tree canopies and root protection areas. Plot 14 is one metre from the site boundary forcing the footpath off of the site boundary. The close relationship to trees and boundaries is illustrative of the cramped nature of the development, in this context and that the development would therefore be relatively cramped and overdeveloped in order to accommodate the number/type of terraced houses being proposed.
- 5.10 The proposal includes houses with a modern, minimalist style and the proposed architectural style with the long expanses of roof, very limited detailing, set-backs or features, would create a very urban and uninspired development that does not take into account site's context and character of development along Balcombe Road.

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- 5.11 In terms of relevant nearby planning history, two proposals for development at Rosehip Cottage (opposite the site), were both dismissed by the planning inspectorate under references CR/2013/0047/FUL (APP/3820/A/13/2199317) and CR/2012/0481/FUL (APP/Q3820/A/13/2191451). The applications were for 5 and 4 detached houses respectively in the side and rear garden of this dwelling. It would have resulted in development being relatively close to the rear boundary with Steers Lane and Balcombe Road. One of the primary reasons for refusal which is relevant to this application related to the impact of the proposed developments not reflecting the existing density of development and character of the surrounding area and the impact upon the street scene of Balcombe Road and this was identified as being important by the Inspectors in all three decisions.
- 5.12 The importance of the character of Balcombe Road was also identified by the Inspector in the appeal against the non-determination of the outline application at Land at Steers Lane ref. CR/2018/0894/OUT (APP/Q3820/W/19/3236721) who highlighted that this development would respect its sylvan character and also considered more widely the overall layout and character of the development in regard to its setting.
- 5.13 It is considered that the development would be overly prominent when viewed from Balcombe Road and the current layout, design and massing of development with its hardstanding areas, boundary treatments and manicured gardens would result in urbanising impact that would be harmful to the character and appearance of the existing wooded street-scene, the rural character of the immediate surroundings and the structural landscaping of Balcombe Road. It would therefore be contrary with the requirements of policies GD1, CH1, CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015, the Urban Design and Green Infrastructure SPDs in this regard.

The adequacy of the proposed dwelling for future occupants including noise

- 5.14 The Nationally Described Space Standards are incorporated into Local Plan policy CH5. The standards set out that the minimum size of accommodation which new proposed dwellings are required to meet.
- 5.15 Eight of the houses would be 2 storey, with two bedrooms. The dwellings are identified to be 3 person dwellings due to the fact that the smaller bedroom falls within the single person criteria (between 7.5sqm and 11.5sqm). The internal floor areas of these proposed houses would be 70.5sqm. The standards require two bedroom 3 person two storey dwellings to have a minimum floor area of 70sqm.
- 5.16 Six of the houses would have two stories and 3 bedrooms. The internal floor areas of these houses would be 97sqm. The houses would be 4 person dwellings as the smaller bedrooms both fall within the single person criteria (between 7.5sqm and 11.5sqm). The standards require a three bedroom 3 person two storey dwelling to have a minimum floor area of 84sqm.
- 5.17 The floor-space for all the houses would accord with the requirements set out in Policy CH5 and it is considered that the provision of internal space is adequate. All of the units would be provided with an acceptable amount of privacy. The habitable rooms would be provided with adequate access to ventilation although the outlook and light from some windows would be adversely affected by the close relationship to retained planting and would be subject to overshadowing. The difference in levels from the development of Forge Wood Phase 3A to the east would also result in the application dwellings more likely to receive some overlooking from residents of this development.
- 5.18 The Urban Design SPD also sets standards for Private Outdoor Space and all the plots exceed the minimum garden space requirements in terms of the total area. However, there is some concern that the rear garden of Plot 1 by virtue of its predominantly north-south orientation, close relationship to trees on the eastern boundary and its north facing garden (its private amenity area), would experience a significant degree of overshadowing. Paragraph 3.54 of the Urban Design SPD requires gardens to have regard to daylight, sunlight and the overall usability due to overshadowing from trees. Due to the requirement to retain and replace trees on the site, there would be significant tree coverage along the east and western boundaries. Due to the close proximity of the dwellings to the vegetation therefore it is considered that there would be ongoing future pressure to reduce the retained trees, replacement protected trees and new planting along the Balcombe Road frontage to improve light and reduce overshadowing of the proposed houses and their gardens.

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- 5.19 With regard to noise, the application site would experience noise from Gatwick Airport and it is also subject to significant noise pollution from the adjacent Balcombe Road. Policy ENV11 seeks to protect noise sensitive development such as residential uses from unacceptable noise impacts. With regards to the design and layout the development has been designed to reduce the impacts of noise by having no windows to habitable rooms facing onto Balcombe Road. Notwithstanding this some of the properties are within close proximity to the road (the closest Plot No.14 being less than 2 metres from the road).
- 5.20 A noise survey has been undertaken and was submitted with the application as required by the Local List. A noise survey previously submitted with application ref. CR/2017/0864/FUL identified that noise from the recently altered Balcombe Road is a significant issue that would harm future residents living conditions and their health. This current noise survey sent with this application concluded that the development would be policy compliant and that noise levels would be acceptable. The Council's Environmental Health Department has objected to the proposals, questioning the credibility of the data collected, due to the location and time of recordings. The modelled noise levels for the houses from that location clearly demonstrate that the majority of the units and the garden areas would be in the unacceptable adverse effect level as stated in Local Plan policy ENV11. Only the dwellings at the eastern end of the terraces appear below that level as they are partially protected by the other dwellings closer to the road. Policy ENV11 is very clear stating that permission should not be granted when in the Unacceptable Adverse Effect Level because of the negative impacts of noise on health. The reports justification for exceeding noise levels are also deemed to be unfounded and it has failed to recognise the negative health impacts of noise that future families would suffer due to the poor design and layout of these dwellings. The proposed mitigation measures of double glazing and extract fans are also deemed to be unacceptable. Overall it is therefore considered, that the development would experience an unacceptable level of noise from Balcombe Road and fail to meet acceptable noise levels as required by policy ENV11 and the Noise Annex of the Crawley Borough Local Plan 2015-2030.
- 5.21 Due to the close proximity Balcombe Road the proposed dwellings air quality also needs to be taken into account. The Council's Environmental Health officer has been consulted and has stated that there is insufficient information on air quality to allow an assessment on the sustainability of the proposals in terms of pollution from traffic emissions. Due to the proximity of the development to the main road, the development should be supported by evidence detailing the air quality impact on the proposed development. The primary purpose of this is to assess the suitability of the site, in air quality terms, and to establish the need for mitigation during construction and operation. There is concern that the site could result in exposure to pollution levels above the national air quality objectives and it is deemed that insufficient evidence has been provided to ensure that no harm to the health of future occupiers would occur in this regard.
- 5.22 In conclusion in relation to residential amenity for the future occupiers it is considered that the layout of the development and the relationship with trees would result in a poor environment for future residents leading to future pressure to reduce trees to improve light/reduce overshadowing to the gardens (particularly plot 1). In addition the houses would be subject to traffic noise from the adjacent Balcombe Road that it has not been demonstrated can be adequately mitigated, and it has not been proven that there would not be potentially harmful levels of air pollution exposure. It is considered that the development would result in unacceptable living conditions and harm to the health of future occupiers. The development is therefore considered to be contrary to policies CH3, CH5 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD in this regard.

The impact on the amenities of the occupiers of neighbouring properties

- 5.23 On the opposite side of Balcombe Road to the west, the nearest residential properties are Rosehip Cottage, Ramree and Patch in Forge Wood. As these are located 20m+ away, with the busy Balcombe Road intervening, it is not considered that the new dwellings would have an adverse effect on the amenities of the occupiers of these existing dwellings, in terms of overlooking or overbearing impact.
- 5.24 To the south, the closest dwelling is Northside, due to the rear gardens of the facing plots being 15 m long, the distance is considered significant enough to ensure that the new dwellings would not have an adverse effect on the amenities of the occupiers of this existing dwelling, although it would be

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important to ensure that suitable boundary treatments with this house are implemented prior to the occupation of the development.

- 5.25 With regards to the relationship with the dwellings directly to the east of the site in Forge Wood development there would be at least 16 metres between the nearest property and the application site which located at a lower level to this development. It is therefore considered that there would be a satisfactory relationship to this development in terms of impact upon the residential amenities of its future occupants.
- 5.26 It is considered the development would have a satisfactory relationship with adjacent properties that would not have a harmful impact upon the amenities of their occupiers and it therefore accords with policy CH3 of the Crawley Borough Local Plan 2015 in this regard.

Trees & Structural landscaping

- 5.27 The existing trees and landscaping form a fundamental part of the locality's existing character and site is designated as forming a part of the Structural Landscaping of the town. Policy CH7 - Structural Landscaping, identifies areas of soft landscaping that make an important contribution to the town and its neighbourhoods and requires areas of structural landscaping to be retained or enhanced where appropriate, in addition to the general character policies CH2 and CH3 that would apply to this development. The site has preserved mature trees on its boundaries which have significant amenity value and there is also a requirement for replacement trees to be planted on the eastern boundary under the terms of a Tree Replacement Notice. Five protected trees were removed by a previous owner and an amended tree replacement notice (TRN) requires that 2 large trees to be re-planted as close as possible to those felled. Ref ENF.TPO/2014/0168.
- 5.28 The structural landscaping is provided by both the trees that provide a partial screen to the development of Phase 3A of Forge Wood to the east and by the trees that line the east side of Balcombe Road. The trees along Balcombe Road, (that includes this site), have significant cumulative group value. There are also trees outside the application site to the north unaffected by this development that separate the whole overall site (blue and red line areas) from the public footpath that runs to the east from Balcombe Road. These trees are all the subject of a Tree Preservation Order.
- 5.29 The applicant has submitted a tree protection plan and arboreal statement. Two sections along the frontage where the new entrances would be located would be removed, the tree protection plan indicates that the trees remaining trees are to be retained. Two mature trees are proposed to be replaced along the rear/east boundary to comply with the Tree Replacement Notice.
- 5.30 CBC's Arboricultural Officer has reviewed the application and has raised an objection in terms of conflict with the retained trees on both sides of the site due to the arrangement of the houses on this narrow site and the amount of hard surfacing proposed, which would significantly reduce space for the soft landscaping and replacement planting required on the site.
- 5.31 Due to the narrow shape of the site, large oak trees both existing and required by the TRN and the line of trees along Balcombe Road, there is also concern that the development will have a harmful impact on the health of the trees from the construction works and from the close relationship of paths/accesses/refuse areas and the dwellings themselves to retained trees. In particular the trees along the frontage of Balcombe Road would suffer damage during construction, with just 2 metres provided from the path to the boundary, it is likely that the root protection area for most of these trees would be adversely affected by the proposals. This is due to the close relationship of development to the trees. In addition due to the changes in levels on site, and between Balcombe Road and the site would result in a need to undertake some works within the root protection areas of the trees notwithstanding the applicant's assertions that this would not be necessary. This would cause harm to the retained protected trees along the Balcombe Road frontage, and this in turn would have a harmful impact on the structural landscaping situated along the east side of and adjacent to Balcombe Road.
- 5.32 There is also concern that the location of the houses and the associated hardstanding/parking areas would prejudice the ability of the replacement trees to grow into mature trees with a full canopy, and could also be future pressure to reduce tree canopies in order to give the properties natural light and reduce overshadowing. The amenity provided by the trees could therefore be compromised. The

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close relationship of the houses to planting, (proposed to reinforce the retained trees along the street front), would also prevent these trees from maturing and providing long term amenity to the area.

- 5.33 It is considered that the new accesses and proposed footpath would cause damage to the adjacent trees along Balcombe Road and there would further pressure to remove/reduce trees to provide visibility splays.
- 5.34 Local Plan Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. The trees lost as a result of the development must also be replaced or mitigated by planting elsewhere. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu. It is considered that the planting locations would prevent these trees from providing significant amenity due to their close relationship to the dwelling proposed.
- 5.35 It is therefore considered that the development would harm existing protected trees and would not provide sufficient space to allow for a suitable long term relationship between future occupiers and the trees to the long term detriment of the trees. The development does not have space to make provision adequately for the replacement, and new trees ones required as part of the Tree Replacement Notice and by Policy CH6. The development and would significantly harm the character of the area and damage the integrity of the structural landscaping along Balcombe Road to the detriment of the town, contrary to policies CH3, CH6, and CH7 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure SPD in this regard.

Highway safety, access and parking

- 5.36 The application is supported by way of a Transport Statement (TS). WSCC have reviewed this information and consider that the Stage 1 Road Safety Audit (RSA) and TRICS trip rate information data insufficient as the data related to the development proposed under reference CR/2017/0864/FUL which was for 5 houses on different site area. The applicant has not provided the updated information required to allow WSCC to assess the application.
- 5.37 With regards to parking the arrangement would allow for two parking spaces per dwelling in the form of off-road spaces located directly in front of the front gardens for the dwellings they will serve. Parking provision meets the minimum requirements of the Crawley Urban Design SPD that seeks a minimum of 2-3 car-parking spaces for 3 bedroom dwellings and a minimum of 1.5 car-parking spaces for 2 bedroom dwellings at this location.
- 5.38 With regards to access arrangements the turning areas do not appear to be sufficient within the site to allow for larger service vehicles to turn and re-join the highway in forward gear. Furthermore, the Councils Refuse Department has commented that there is insufficient information for it confirm that these arrangements would be acceptable.
- 5.39 With regards to cycle storage, shed/cycle store are proposed within the rear gardens of each dwelling, and these are all accessibly via rear garden gates. The provision of cycle parking would therefore be acceptable.
- 5.40 With regards to sustainability and accessibility it is recognised that this proposal would give rise to a more intensive use of Balcombe Road however, this proposal is not anticipated to result in a severe cumulative impact on the operation of the local highway network from the level of activity proposed. Improvements are proposed to pedestrian infrastructure, namely to provide a footway along the western side of the site. This would then provide a route for pedestrians towards the neighbourhood centre and the nearest bus stops. The proposals do not include works that would form a part of the wider Forge Wood Neighbourhood infrastructure provision that includes the works at Balcombe Road/Steers Lane, which is now a signalised junction. These changes to the junction have included pedestrian crossing facilities to cater for east to west pedestrian movements over Balcombe Road. The northernmost proposed access will be sited a short distance to the south of this signalised junction and the arrangement would not be prejudiced by the junction improvements undertaken.
- 5.41 Overall it is considered that the proposals have not demonstrated that the development would be provided with safe access, circulation and manoeuvring space necessary for the safe and proper use

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of the site and to ensure the safety of users of the Highway contrary to policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.

Infrastructure contributions and Affordable Housing

- 5.42 This application would be liable for the Community infrastructure Levy (CIL) which came into effect on the 17th August 2016. The final CIL charge will be communicated to the applicant via the development Liability Notice.
- 5.43 The adopted Affordable Housing SPD expands upon policy H4 of the Local Plan in relation to making on-site or off-site affordable housing contributions. The proposed new dwellings would be liable to make an affordable housing contribution, and the applicants have agreed in principle to an off – site contribution. However the applicant has not indicated the level of contribution they are prepared to give so there is no detail as to whether the offer would be policy compliant. Given the concerns with the development a S106 agreement has not been provided or discussed and the development is therefore contrary to policy H4 and the supporting Affordable Housing SPD in this regard.
- 5.44 With regards to Countryside & Open Space contributions the scheme proposes to remove a number of existing trees from the site and proposes to plant four trees within the application site. It is important to note that the planning authority will not agree commuted sums where it is evident that the application proposes development at the expense of adequate space for landscaping. The intended loss of trees within the site due to the proposed development, would require a total of 21 replacement trees to be provided. It would appear from this application, that groups of trees have been counted as one tree to be lost. In addition to the replacement tree planting required for the loss of existing trees on site, this application is for 14 new dwellings. One new tree is also proposed to be provided for each new dwelling. On this basis, a further 14 trees would be required from this scheme. With a total of 35 trees required to be provided to meet the requirements of Policy CH6. The additional tree planting requirements would normally be expected to be met within the development site. Where the local planning authority agrees that this is not feasible or desirable, commuted sums will be sought in lieu on a per tree basis, taking account of constraints to planting. The approach would enable the green character and appearance of the borough to be maintained through tree planting in appropriate and available land. In this case, the total number of trees required as an off-site contribution can be reduced by four to include the four new trees to be planted with the application site. This would mean the outstanding contribution required to offset the proposed loss of the existing trees on the site and the visual impact of new residential development, in accordance with the standards set out in the adopted Local Plan policy, would be the equivalent of 31 new trees.
- 5.45 With regards to Open Space, Sport and Recreation contributions as an application for new residential dwellings, Policy ENV5 is triggered due to the increase in population which will be created by this scheme. In this location, there are known existing deficiencies in in all open space typologies. On this basis, the Open Space Study (2014) recommends that all new developments within this neighbourhood provide new open space in line with the recommended standards as part of the development proposals. Although the upcoming Steers Lane and Forge Wood proposals have conditions for open space requirements, this would meet the increase in population and demand on open space created commensurate to those schemes. Without proportionate and appropriate contribution towards open space provision, this proposed development would further add to the deficiency in the neighbourhood and therefore the pressure on nearby facilities in other neighbourhoods or in the south of Pound Hill. Ideally, open space in this location should be provided on-site. This is further supported by the Green Infrastructure SPD which confirms that for schemes of between 10 and 49 dwellings play space and amenity green space should be provided on site. However, it is acknowledged for high density schemes on sites of small plot sizes, a contribution towards off site provision may be considered appropriate in lieu of some of the on-site open space facilities. Furthermore, contributions towards off site provision for outdoor sports space, allotments, parks and recreation grounds and natural green space are considered an appropriate form of meeting the proportionate provisional requirement for this scheme. In this instance, the quantity of open space proportionate to this development is below potentially useable recreation space in most instances. Financial contributions to open space for this application would therefore be required as follows:

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Type of space/facility	Likely total occupancy	Open Space Quantity (m ²)	Contribution per person (£)	Occupancy x contribution
Provision for Children/Teenagers	35	24.5	£119.00	£4,165.00
Amenity Green Space	35	157.5	£67.50	£2,362.50
Allotments	35	52.5	£45.00	£1,575.00
Outdoor Sports Space	35	437.5	£21.00	£735.00
Parks & Recreation Grounds	35	455.0	£72.00	£2,520.00
Natural Green Space	35	350.0	£15.00	£525.00
Total				£11,882.50

5.46 The applicant has therefore failed to demonstrate that they can provide the required tree planting on or off site to accord with policy CH6 and the Green Infrastructure SPD and as this infrastructure requirement has not been met the development is contrary to policies CH6 and the IN1 of the Crawley Borough Local Plan 2015-2030 in this regard.

Flooding and drainage

5.47 The site is in an Environment Agency Zone 1 flood risk level. The risk of flooding of the development is therefore low. The Councils Drainage Officer raises no objection to the drainage strategy proposed.

5.48 Thames Water have observed that the applicant has not demonstrated that there would be acceptable sewage capacity for this development to link into and conditions are recommended.

Other Matters

5.49 Sustainability requirements including those relating to water use can be subject to being provided by conditions. The response of the Councils Sustainability Officer will be reported verbally at the Committee.

5.50 The requirement to provide high quality communications infrastructure to each house through ensuring access to fibre optic cable or similar as required by policy IN2 can be ensured and controlled through the use of a condition.

5.51 The comments in respect of ecology will reported at the meeting, there is ancient woodland on the eastern side of Balcombe Road opposite the site and a number of trees within the site that have potential ecological value.

6. CONCLUSIONS

6.1 In conclusion, it is considered that the principle of some form of residential development on the site could be acceptable, and the provision of additional dwellings would help to a small extent meet part of the future housing demand for the Borough. Parking is also considered acceptable in terms of the impact upon the capacity of the highway and would meet the operational requirements of the site. It is also considered that there would not be significant harmful impacts on the occupiers of nearby/neighbouring dwellings.

6.2 It is however considered that the development would have an adverse impact on the character and appearance of the street scene, it would erode the Structural Landscaping for the town and harm the sylvan character of Balcombe Road.

6.3 The close relationship with surrounding trees would also result in adverse levels of overshadowing of gardens and houses causing shading and reducing useable amenity space to the detriment of future occupiers. There would be harmful levels of noise from the adjacent Balcombe Road and the development as designed would not provide an acceptable environment for future occupiers. The development would therefore would be harmful to occupiers' amenities and injurious to health.

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- 6.4 Trees to be retained and the proposed new tree planting would be under future pressure for removal/reduction and would not have space to mature.
- 6.5 The development would not meet its affordable housing requirements or mitigate its impact upon open space infrastructure. It would also fail to make adequate provision for the trees required on the site, which are important to the character of the area that is defined as Structural Landscaping and these would not be mitigated elsewhere within the Borough.
- 6.6 Whilst the development would be positive in terms of providing a small number of additional dwellings, the adverse impacts on protected trees, the character of the area, the harm that would result for future residents from overshadowing and noise and that it would not mitigate its impact upon infrastructure, would outweigh this benefit. On this basis it is considered that the development is unacceptable in terms of consideration of the planning balance. The proposal is therefore considered to be contrary to the NPPF and the relevant Policies of the Crawley Borough Local Plan (2015-2030), the Urban Design, Green Infrastructure and Affordable Housing SPD's and it is recommended that the application be refused for the following reasons:

RECOMMENDATION RE: CR/2020/0592/FUL

REFUSE for the following reasons:

1. The proposed development by virtue of its prominent siting, layout, size, and built form would be incongruous with the existing street-scene and comprehensively planned development of Forge Wood with its associated Design Statement. The development would be harmful to the wooded rural street scene of Balcombe Road and result in a form of development that would be visually intrusive, unsympathetic and harmful to the existing pattern and nature and planned character of development in this locality. The proposal is thus contrary to the NPPF and policies GD1, H1, H2 and CH1 and CH3 of the Crawley Borough Local Plan 2015- 2030.
2. The development by virtue of its cramped layout, siting, urban form, and extensive hardstanding, would result in a loss of structural landscaping and cannot provide acceptable mitigation, to the detriment of the street scene and the character of the area contrary to policies CH6 and CH7 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure and Urban Design SPDs.
3. The layout of the proposed development in particular plot 1 would result in houses located within close proximity to protected trees resulting in properties that would be adversely affected by loss of sunlight, daylight and outlook to the rear windows and gardens, leaving little useable amenity area. The development cannot therefore provide a satisfactory environment for future occupiers. The proposal is thus contrary to the NPPF, policy CH5 of the Crawley Borough Local Plan 2015 - 2030 and the advice in Urban Design SPD (for Private Outdoor Space).
4. The relationship of the proposed houses to the retained and the proposed replacement trees on site and trees on neighbouring land would result in damage and harm to the amenity of the trees and an unsatisfactory relationship for future occupiers resulting in ongoing pressure to reduce and remove the trees to the detriment of the character of the area. The proposal is thus contrary to policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030 and the Green Infrastructure SPD.
5. The development would result in an unacceptable noise environment for future occupiers that cannot be adequately mitigated, harming their quality of life/health contrary to policies CH3, H1 and ENV11, and the Crawley Local Plan Noise Annex of the Crawley Borough Local Plan 2015 - 2030
6. It has not been demonstrated that the development would be provided with safe access, circulation and manoeuvring space necessary for the safe and proper use of the site and to ensure the safety of users of the Highway contrary to policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.
7. An agreement is not in place to ensure that the appropriate Green infrastructure provisions and Affordable Housing can be secured to support the development and the development is therefore contrary to policies H4, CH6 and IN1 of the Crawley Borough Local Plan 2015-2030 and 'Green Infrastructure' and Affordable Housing SPD.

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

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

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ArcGIS Web Map

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Agenda Item 8

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 12 January 2021
REPORT NO: PES/358(d)

REFERENCE NO: CR/2020/0591/TPO

LOCATION: [MILTON MOUNT LAKE, POUND HILL, CRAWLEY](#)
WARD: Pound Hill North & Forge Wood
PROPOSAL: 2 X OAKS (9269 & 9306) - SECTIONAL FELLING/RESTRICTED FELL.
1 X OAK (9305) - THIN CROWN BY 20% & REMOVE DEADWOOD

TARGET DECISION DATE: 12 November 2020

CASE OFFICER: Mr R. Spurrell

APPLICANTS NAME: James Ireland

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
9269		Tree Plan 9269
9306		Tree Plan 9306
9305		Tree Plan 9305

REASON FOR REPORTING TO COMMITTEE:-

CBC is the applicant.

NOTIFICATIONS /PUBLICITY

The works were advertised by a site notice. No responses were received.

PLANNING HISTORY:-

- 1.1 There is extensive planning history for works to trees within the park. There is no specific planning history in respect to works to these trees.

PLANNING POLICY:-

- 2.1 The trees are covered by the Milton Mount No.1 Tree Preservation Order (TPO REF: 16.07.04)
- 2.2 This application must be considered in the context of Part VIII of the Town and Country Planning Act 1990 and The Town and Country Planning (Tree Preservation) (England) Regulation 2012.
- 2.3 National Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
- 2.4 The Council's Green Infrastructure Supplementary Planning Document (2016) is a non-statutory document.

PLANNING CONSIDERATIONS:-

- 3.1 The determining issues in this application are the effect of the proposal on the health, character and appearance of the trees and the level of amenity that they provide within the surrounding area.
- 3.2 2 X OAKS (9269 & 9306) - SECTIONAL FELLING/RESTRICTED FELL.
1 X OAK (9305) - THIN CROWN BY 20% & REMOVE DEADWOOD

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Contribution to public visual amenity	Good – all three trees make a good contribution to the green amenity of the lake.
Estimated remaining contribution	9269 & 9306 - <10 yrs, 9305 100+ yrs
Are works justified?	Yes

- 3.3 The trees are located within the parkland at the northern end of Milton Mount Lake. Tree 9269 is located behind the rear gardens of 126 and 128 Grattons Drive and trees 9305 and 9306 are to the rear of numbers 154 and 156 Grattons Drive.
- 3.4 Trees 9269 & 9306 are in decline with extensive dieback, 9269 also has a large tear-out wound on one of the main scaffold limbs over-hanging the footpath. These two trees have a limited useful life expectancy and a declining amenity value. Their condition is also posing a risk to the public using the park and it is considered that they should be removed for safety reasons. These specimens should be replaced.
- 3.5 Tree 9305 requires deadwood removal and a crown thin for general maintenance. These works will have no impact on tree health and amenity and are therefore justified.

RECOMMENDATION RE: CR/2020/0591/TPO

CONSENT - Subject to the following condition(s):-

1. This consent is valid for a period of two years from the date of this notice and shall only be carried out once.
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.
3. Within 12 months of the felling of trees 9269 & 9306, the owner of the land shall plant 2 no. Oak trees, in a location as close to the felled trees as practical. The trees shall be not less than nursery standard size and conform to British Standard 3936: Nursery Stock specification. In the event that the trees die within five years following such planting, they shall be replaced with similar trees in a similar position during the next planting season.
REASON: In the interests of the amenity of environment of the locality in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.

Agenda Item 8



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Agenda Item 9

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 12 January 2021
REPORT NO: PES/358(e)

REFERENCE NO: CR/2020/0653/TPO

LOCATION: [MILTON MOUNT LAKE, GRATTONS DRIVE, POUND HILL, CRAWLEY](#)
WARD: Pound Hill North & Forge Wood
PROPOSAL: MAPLE (050202) AND 6 X MAPLES 9176/9259/9235/9236/9238/9237 - SECTIONAL FELLING/RESTRICTED FELL.
OAK 9192 - CROWN LIFT TO 2M FROM GROUND LEVEL SOUTH SIDE. CROWN REDUCTION BY 1.5M TO APPROPRIATE GROWTH POINTS ON SOUTH SIDE. REMOVAL OF DEADWOOD. REMOVAL OF MAJOR DEADWOOD (30MM+).
OAK 9184 - CROWN LIFT TO 2M FROM GROUND LEVEL WEST SIDE. CROWN REDUCTION BY 1.5M TO APPROPRIATE GROWTH POINT ON WEST SIDE. REMOVAL OF DEAD WOOD. REMOVAL OF MAJOR DEAD WOOD (30MM+).
OAK 9193 - CROWN LIFT TO 2M FROM GROUND LEVEL WEST SIDE. REMOVAL OF DEAD WOOD. REMOVAL OF MAJOR DEADWOOD (30MM+).
OAK 9185 - CROWN LIFT TO 2M FROM GROUND LEVEL WEST SIDE. REMOVAL OF DEAD WOOD. REMOVAL OF MAJOR DEADWOOD (30MM+). SEVER IVY.
OAK 9190 - CROWN LIFT TO 2M FROM GROUND LEVEL. REMOVAL OF DEAD WOOD. REMOVAL OF MAJOR DEADWOOD (30MM+).
ROWAN WHITEBEAM 9124 - SECTIONAL FELLING/RESTRICTED FELL.
6 X HAZEL (050394 , 050397,126000, 126003,126006 AND 126093) - COPPICE
ASH 9167 - CROWN REDUCTION 1.5M TO 2M ON WEST SIDE
YEW 9115 – CROWN LIFTING. CROWN REDUCTION 1.5M TO 2M ON WEST SIDE.
BIRCH 6681 - CROWN REDUCTION 1.5M ON WEST SIDE FROM FENCE LINE BOUNDARY TO APPROPRIATE GROWTH POINTS.
ALDER 9362 - CROWN REDUCTION 1.5M FROM FENCE LINE BOUNDARY TO APPROPRIATE GROWTH POINTS.
ALDER 9262 - CROWN REDUCTION 1.5M FROM FENCE LINE BOUNDARY TO APPROPRIATE GROWTH POINTS. REMOVAL OF BASAL/EPICORMIC GROWTH.
MAPLE 9260 - CROWN THIN BY 20%.
(AMENDED DESCRIPTION)

TARGET DECISION DATE: 7 December 2020

CASE OFFICER: Mr R. Spurrell

APPLICANTS NAME: Crawley Borough Council

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
0653		Tree Plan

REASON FOR REPORTING TO COMMITTEE:-

CBC is the applicant.

NOTIFICATIONS / PUBLICITY:-

The works were advertised by a site notice. No responses were received.

PLANNING HISTORY:-

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- 1.1 There is extensive planning history for works to trees within the park. There does not appear to be any specific planning history in respect to these trees.

PLANNING POLICY:-

- 2.1 The trees are protected under the Milton Mount No. 1 Tree Preservation Order (TPO REF: 16.07.04)
- 2.2 This application must be considered in the context of Part VIII of the Town and Country Planning Act 1990 and The Town and Country Planning (Tree Preservation) (England) Regulation 2012.
- 2.3 National Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
- 2.4 The Council's Green Infrastructure Supplementary Planning Document (2016) is a non-statutory document.

PLANNING CONSIDERATIONS:-

- 3.1 The determining issues in this application are the effect of the proposal on the health, character and appearance of the trees and the level of amenity that they provide within the surrounding area.

Contribution to public visual amenity Good – all the trees make a good contribution to the green amenity of the lake and parkland setting

Are works justified? Yes

- 3.2 The trees the subject of this application are located on the western side of Milton Mount lake, along the rear boundaries of numbers 106 to 132 Grattons Drive and on an area of land in-between numbers 106 and 104 Grattons Drive which provides a western entrance to the park.
- Maples 050202, 9176, 9259, 9235, 9236, 9238 & 9237 (to the rear of 118 and 120 Grattons Drive) as well as Rowan 9124 (to the side of 106 Grattons Drive) all require felling due to poor condition and significant dieback, these trees are adjacent to the public footpath or a garden boundary and are considered should be removed for safety reasons.
 - Ash 9167, Yew 9115, Birch 6681 & Alders 9362 & 9262 (to the rear of 106 to 120 Grattons Drive) all require the branches overhanging the adjacent private properties to be pruned back to reduce the overhang in the gardens.
 - Hazels 050394, 050397, 126000, 126003, 126006 & 126093 require re-coppicing for good general management, this is a common and acceptable way of managing Hazel.
 - Oaks 9184, 9193, 9192, 9185 & 9190 (between 104 and 106 Grattons Drive) require crown lifting in order to give the proper clearances over the footpaths/road and in the case of 9192 & 9184 they require the branches extending towards the adjacent building to be pruned back for clearance.
 - Western Red Cedar 9199 was originally included in the application seeking consent for a 2m crown lift however no valid justification was given for the works which it is considered would have a detrimental impact on the amenity of the tree, the works are not therefore considered justified and have been omitted from this application.
- 3.3 All the pruning works are required for general maintenance and containment and are not considered to result in the loss of any amenity or have any negative impact on the health of the trees.
- 3.4 The proposed trees to be felled (except the rowan which is a poor suppressed specimen) will require replacing in order to preserve the tree cover and prevent the erosion of the green amenity of the parkland. The group of maples are mature specimens which due to their height have visual presence in the parkland as an important tree group.

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RECOMMENDATION RE: CR/2020/0653/TPO

CONSENT - Subject to the following condition(s):-

1. This consent is valid for a period of two years from the date of this notice and shall only be carried out once.
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.
3. Within 12 months of the felling of trees 050202, 9176, 9259, 9235, 9236, 9238 and 9237 - Maple, the owner of the land shall plant 7 Maple trees in a location as close to the felled trees as practical. The trees shall be not less than nursery standard size and confirm to British Standards 3936:Nursery Stock Specification. In the event that the trees die within five years following such planting, they shall be replaced with similar trees in a similar position during the next planting season.
REASON: In the interests of the amenity of environment of the locality in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.

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