

## Crawley Borough Council

### Planning Committee

Agenda for the **Planning Committee** which will be held **virtually - Microsoft Teams Live**, on **Monday, 8 February 2021 at 7.00 pm**

Nightline Telephone No. 07881 500 227



Chief Executive

**Membership:**

Councillors

J Purdy (Chair), J Hart (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.

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

## Part A Business (Open to the Public)

	Ward	Pages
<b>1. Apologies for Absence</b>		
<b>2. Disclosures of Interest</b>		
In accordance with the Council's Code of Conduct, Councillors are reminded that it is a requirement to declare interests where appropriate.		
<b>3. Lobbying Declarations</b>		
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.		
<b>4. Minutes</b>		5 - 14
To approve as a correct record the minutes of the Planning Committee held on 12 January 2021.		
<b>5. Planning Application CR/2018/0172/FUL - Gatwick School, 23 Gatwick Road, Northgate, Crawley</b>	Three Bridges	15 - 52
To consider report PES/359a of the Head of Economy and Planning.		
<b>RECOMMENDATION</b> to PERMIT.		
<b>6. Planning Application CR/2020/0037/FUL - Land Parcel Russell Way (Former TSB Site), Three Bridges, Crawley</b>	Three Bridges	53 - 82
To consider report PES/359b of the		

		<b>Pages</b>
	Head of Economy and Planning. <b>RECOMMENDATION</b> to PERMIT.	
<b>7.</b>	<b>Planning Application</b> <b>CR/2020/0192/RG3 - Breezehurst</b> <b>Playing Fields, off Breezehurst</b> <b>Drive, Bewbush, Crawley</b>	83 - 118
	Bewbush & North Broadfield	
	To consider report PES/359c of the Head of Economy and Planning. <b>RECOMMENDATION</b> to PERMIT.	
<b>8.</b>	<b>Supplemental Agenda</b>	
	Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.	

**With reference to planning applications, PLEASE NOTE:**

Background Paper:- Crawley Borough Local Plan 2015-2030

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## Crawley Borough Council

### Minutes of Planning Committee

Tuesday, 12 January 2021 at 7.00 pm

#### Councillors Present:

J Purdy (Chair)

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

#### Also in Attendance:

Councillor R G Burgess, B J Burgess and R D Burrett

#### Officers Present:

Heather Girling	Democratic Services Officer
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Linda Saunders	Planning Solicitor
Hamish Walke	Principal Planning Officer

#### Apologies for Absence:

Councillor R Sharma

#### Absent:

Councillor M W Pickett

### 1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Purdy	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Employed by a party who was invited to respond to the consultation (this particular party did not respond)

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Councillor P Smith	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Irvine	CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley (Minute 5)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor P Smith	CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley (Minute 5)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Irvine	CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley (Minute 6)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor P Smith	CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley (Minute 6)	Personal Interest – Member of Crawley Cycling and Walking Forum

## 2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillor A Belben had been lobbied regarding application CR/2020/0592/FUL. (In interest of transparency Councillor A Belben noted he had been lobbied by Councillor T Belben).

## 3. Minutes

The minutes of the meeting of the Planning Committee held on 7 December 2020 were approved as a correct record and signed by the Chair.

## 4. Planning Application CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley

The Committee considered report [PES/358a](#) of the Head of Economy and Planning which proposed as follows:

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

The Principal Planning Officer provided a verbal summation of the application. The application was an amendment to a previously approved application required due to safeguarding distances in respect of an existing gas supply. Additionally the Committee was updated regarding amendments to the building's appearance and to form a car park roof and as such, partly due to aviation safety and parking control, an additional condition was proposed as follows:

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16. The roof of the car park hereby approved shall not be used for the parking of vehicles without the written permission of the Local Planning Authority.

Reason: To enable aviation safety and parking issues to be properly assessed in the interests of the safe movement of aircraft and the operation of Gatwick Airport, parking requirements and sustainability in accordance with policies IN1, IN3, IN4 and GAT3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

The Committee was also informed as to an error within the report within paragraph 5.5 regarding motorcycle parking. The provision of motorcycle parking was 1 space per 11.75 car parking spaces (as opposed to 8.5 car parking spaces as stated), and whilst slightly below standard this was considered acceptable.

Further information was provided regarding the changes from the previously approved application, including the elevations, internal layout of the car park and proposed roof to provide weather protection to the top floor. The proposed planting plan exceeded that previously indicated and was considered acceptable tree mitigation, alongside an offsite S106 contribution (previously paid). It was confirmed necessary for a Deed of Variation to the S106 to be completed to ensure that the monies paid also relate to this application.

The Committee then considered the application and following a query from a Committee member and clarification sought on distance, the Principal Planning Officer confirmed that the proposed development had been slightly relocated and reduced in its extent to allow for the gas supply diversion. The distances from the previously approved application were thought to be a marginal reduction.

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, Mwangale, Purdy, Rana, and P Smith (8).

Against the recommendation to permit:  
None.

Abstentions:  
None.

## **RESOLVED**

Permit subject to conditions and informatives set out in report [PES/358a](#) (as amended above), together with the completion of the Deed of Variation of the S106 agreement.

## 5. **Planning Application CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley**

The Committee considered report [PES/358b](#) of the Head of Economy and Planning which proposed as follows:

Outline Application For The Redevelopment Of Car Park To Form Mixed Use Residential With Indicative 15 Units And Commercial Scheme

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

The Principal Planning Officer provided a verbal summation of the outline application and updated the Committee regarding two further comments that had been received.

Environmental Health commented regarding air quality expressing some concerns about dust creation during construction but acknowledged this could be addressed through condition as part of a construction management plan. The Air Quality Officer also raised concerns regarding the air quality for future occupants given the idling traffic queuing on Station Way and at the level crossing and consideration should be given to moving the building further from the road and relocating the residential units to upper floors. It was acknowledged that the applicant had produced an air quality assessment and no objection had been made on these specific grounds.

The Heritage Consultant objected to the proposal due to the impact on the view and setting of the Brighton Road Conservation Area, Grade II listed signal box and the locally listed Nightingale House.

Following the comments from the Heritage Consultant, and the fact that the site is located in a sensitive location in heritage terms, a further reason for refusal was proposed as follows:

10. The proposed development, by reason of its location, proximity, siting, bulk and massing, would adversely affect views of and the setting of the Grade II listed signal box, the locally listed Nightingale House and the Brighton Road conservation area contrary to policies CH12, CH13, CH14 and CH15 of the Crawley Borough Local Plan 2015-2030.

The Committee was informed that the site would form a mixed use residential and commercial space. It was explained that whilst there was no objection in principle to development on the site for either residential or commercial, as it would introduce activity to this part of the town, the overall footprint of the proposed development would almost entirely cover the application site and would form a dominant building, where some units would lack adequate natural light. The massing, scale, design and external appearance neglected to respect the streetscene and related poorly to the adjoining allocated Station Gateway scheme. Whilst town centre developments with low levels of parking had been accepted on some sites, in this case the proximity to the Station Way carriageway was unacceptable and concerns were raised regarding the reliance on a single loading bay, the impact on pedestrians, vehicles passing the site, refuse/recycling arrangements and related access.

It was noted that the submitted drawings misleadingly highlighted the land to the south as a 'Proposed Landscaped Area', which was part of the adjoining Station Gateway development. As such no appropriate provision had been made for trees or open space recreation or affordable housing.



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

A statement from the Agent, highlighted matters including:

- Applicant felt aggrieved at the lack of engagement received from officers in the determination period of the application.
- Alterations to the scheme, which resolved issues relating to noise and highways impact had been prepared.
- It was acknowledged whilst there were clearly some fundamental points of disagreement as to the scheme's acceptability, such as affordable housing and parking provision, the necessary appraisals were submitted to justify the proposed development.
- There was a willingness to cooperate in matters and positively respond to recommendations for changes where possible.
- It was felt a town centre location removed the need for car ownership.
- There remained commitment to delivering a quality scheme on this site.

A statement from Ward Councillor Brenda Burgess, highlighted matters including:

- Such accommodation will be very small, squashed into such a small area.
- Problems of congestion could be caused when the refuse is collected due to the position being at a particularly busy junction and no construction management plan.
- Excessive fumes from traffic due to the numerous times traffic had to queue whilst waiting at the level crossing and traffic lights.
- No affordable housing provision.
- Such a scheme going forward would diminish the planned Station Gateway Scheme.
- The scheme appeared to be poorly aligned, excessively narrow and awkward, whilst lacking visual interest and being of poor quality.

A statement from Ward Councillor Bob Burgess, highlighted matters including:

- There was a lack of parking provision.
- There was a lack of affordable housing.
- The road outside the proposed development was very busy.
- The proposed development would overshadow existing properties in the vicinity.

The Committee then considered the application and discussed the following:

- It was noted that pre-application advice was offered.
- Concerns were raised regarding the lack of affordable housing, together with the absence of its own amenity space. It was unsettling that some windows would look out over the pavement or the Station Gateway land/communal garden.
- Following a query from a Committee member that some of the reasons for refusal were excessive, the Principal Planning Officer confirmed that the Local Planning Authority would normally look to negotiate improvements to a scheme. However the proposed development unfortunately presented a wide range of issues to address and would require substantial improvement in many areas, which could not be achieved through the current application. The applicant had been advised of these in pre-application advice.
- Confirmation that the Local Highway Authority had objected to the current layout proposed.
- Acknowledgement that Crawley Cycling and Walking Forum were consulted.

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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 refuse:

Councillors Ascough, A Belben, Jaggard, Mwangale, Purdy, Rana and P Smith (7).

Against the recommendation to refuse:

None.

Abstentions:

Councillor Irvine (1)

## **RESOLVED**

Refuse for the reasons set out in report [PES/358b](#) (as amended above).

### **6. Planning Application CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley**

The Committee considered report [PES/358c](#) of the Head of Economy and Planning which proposed as follows:

Full Planning Application For New Residential Dwellings, Erection Of 8 No. Of 2 Bedrooms And 6 No. Of 3 Bedroom Units

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

The Group Manager (Development Management) provided a verbal summation of the application and updated the Committee that additional responses had been received. Whilst the Sustainability Officer had no objection, the comments received from the Ecologist stated that the application was not supported by any reptile survey or assessment despite this being identified as potential habitat in the preliminary ecological appraisal supplied with the application. In the absence of the survey, the presence of reptiles could not be ruled out and the ecological evidence was incomplete. Furthermore, the layout did not retain or propose suitable compensatory habitat for reptiles and it was noted that there was a lack of green space and space for wildlife to encourage biodiversity.

As a result a further reason for refusal was proposed as follows:

8. The proposed layout lacks adequate green space / suitable wildlife habitat and inadequate evidence has been supplied in respect of potential reptiles on the site. The proposal cannot demonstrate it makes a positive contribution to biodiversity and is therefore contrary to policy ENV2 of the Crawley Borough Local Plan 2015-2030 and paragraph 175 of the NPPF.

It was noted there were also some slight corrections to the report:

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Paragraph 1.5 – the TPO trees run along the both the eastern and western boundaries of the site (not just the western boundary as described)

Refusal reason 1 – Typing error GD1 should read SD1 and policy CH2 should be listed in the refusal reason

Refusal reason 2 – Policy CH3 should be added to the refusal reason.

The Committee was reminded of the importance of the rural character of Balcombe Road, along with the overall trees and structural landscaping within the site which were key in regard to the design of the development in its setting.

The Council's Arboricultural Officer raised concerns and 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. The layout of the proposed development 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. The proposed design adversely affects the streetscene together with the retained trees and lacks space for new ones to be established.

Whilst overall parking and cycle provision was deemed adequate, however concern was raised about the adequacy of the design for larger service vehicles to turn and re-join the highway in forward gear. Furthermore in terms of infrastructure, there is no S106 agreement in place to secure the required affordable housing and other contributions. The current layout, design and massing of the development would result in urbanising impact that would harmful to the character and appearance of the existing wooded street-scene, the rural character of the immediate surroundings and the structural which contribute to the sylvan character of Balcombe Road.

The Committee then considered the application and discussed the following:

- Confirmation provided that there was one addition access route into the site.
- Concern regarding a lack of agreement on affordable housing provision.
- It was felt the site layout was overcrowded, with little consideration for potential residents.
- It was detrimental positioning houses in close proximity to protected trees.

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 refuse:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Purdy, Rana and P Smith (8).

Against the recommendation to refuse:  
None.

Abstentions:  
None.

## **RESOLVED**

Refuse, for the reasons set out in report [PES/358c](#) (as amended above).

## 7. **Tree Preservation Order Application CR/2020/0591/TPO - Milton Mount Lake, Pound Hill, Crawley**

The Committee considered report [PES/358d](#) of the Head of Economy and Planning which proposed as follows:

2 X Oaks (9269 & 9306) - Sectional Felling/Restricted Fell.  
1 X Oak (9305) - Thin Crown By 20% & Remove Deadwood

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

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for works to three oak trees within Milton Mount Park. Two oaks were recommended for removal for safety reasons and one larger oak proposed for dead wooding and crown thin. The two felled oaks would be replaced.

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, Purdy, Rana and P Smith (8).

Against the recommendation to consent:  
None.

Abstentions:  
None.

### **RESOLVED**

Consent, subject to conditions set out in report [PES/358d](#).

## 8. **Tree Preservation Order Application CR/2020/0653/TPO - Milton Mount Lake, Grattons Drive, Pound Hill, Crawley**

The Committee considered report [PES/358e](#) of the Head of Economy and Planning which proposed as follows:

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.

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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)

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

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for further various works to the trees within Milton Mount Lake. Various works proposed by the applicants were in the interests of tree management, and included coppicing, some crown thinning, some branch length reductions to reduce overhanging and rebalance trees and felling of 7 maples. The 7 felled maples would be replaced.

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, Purdy, Rana and P Smith (8).

Against the recommendation to consent:  
None.

Abstentions:  
None.

## **RESOLVED**

Consent, subject to conditions set out in report [PES/358e](#).

## **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.08 pm

J Purdy  
Chair

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# Agenda Item 5

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 8 February 2021  
REPORT NO: PES/359(a)

REFERENCE NO: CR/2018/0172/FUL

**LOCATION:** [GATWICK SCHOOL, 23 GATWICK ROAD, NORTHGATE, CRAWLEY](#)  
**WARD:** Three Bridges  
**PROPOSAL:** PERMANENT CHANGE OF USE FROM OFFICES (B1) TO CO-EDUCATIONAL SCHOOL (D1), INCLUDING NEW EXTERNAL OVER-CLADDING, NEW WINDOWS AND DOORS, NEW BUILD SPORTS HALL AND STAIRWAY, REVISED CAR PARKING, EXTERNAL PLAY AREAS AND LANDSCAPING.

**TARGET DECISION DATE:** 30 May 2018

**CASE OFFICER:** Mrs V. Cheesman

**APPLICANT'S NAME:** Education and Skills Funding Agency

**AGENT'S NAME:** JLL

## PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
PL002	4	Site Location & Existing Site Plan
PL003	9	Proposed Site Plan
PL008	3	Existing Ground Floor Plan
PL009	3	Existing First Floor Plan
PL010	3	Existing Roof Plan
PL011	11	Proposed Ground Floor Plan
PL012	10	Proposed First Floor Plan
PL013	8	Proposed Roof Plan
PL014	3	Existing Elevations (North & East)
PL015	3	Existing Elevations (South & West)
PL016	9	Proposed Elevations (North & East)
PL017	8	Proposed Elevations (South & West)
PL018	7	Proposed Sports Hall Elevations
PL019	3	GA Proposed Sections
PL020	3	Proposed Site Sections
PL021	5	Street Scene & Material Proposals
PL022	7	Building 3D Views
LLD1253 LAN-DWG-SK400.21.11.17		Cross section: Timber Log Retaining Wall

## CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL Aerodrome Safeguarding No objection subject to conditions and informatives
2. GAL Planning Department Policy ENV11 is imperative in the determination of this application. Concerns at potential exposure levels to aircraft noise if an additional runway to the south were to be realised at Gatwick Airport. Noise mitigation measures must be delivered at the applicants' expense as part of this application and therefore installed prior to the opening of an additional runway to the south. This should be secured by a s106 agreement to include the noise mitigation measures and a set floor

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layout plan. A post construction acoustics report is also required.

3. Environment Agency  
No comments to make
4. WSCC Highways  
Comments x5 – concerns raised as to whether this is an appropriate location for a school. The access arrangements and associated works are appropriate and acceptable. In terms of the impact on the road network there is an impact on the am peak but the impact is not severe or can be mitigated. With the data submitted and assumed dwell times parking demands can be accommodated within the site most of the time  
Comments made on aspects of the Car Park Management Plan. Overall, no objections subject to conditions and legal agreement.
5. WSCC Education  
The school plays a significant part in catering for the demand for school places in Crawley. It has alleviated pressure on existing schools. There will be a shortfall of secondary places and if permission is not granted this will exacerbate an already significant problem.
6. Police  
No objections. Comment that good management of the parking area inside and outside of the school grounds will be required when student numbers are increased. Are reassured that the parking plan reflects the desire to reduce congestion to the local community. Pleased to note that community ties have been made to explore and further implement off-site parking for staff
7. Metrobus  
The bus network provides frequent services to the school for pupils and staff. Some concerns about the on site parking issues impacting upon access to Tinsley Lane . A contribution towards funding an additional bus service on the route 200 is required.
8. CBC Drainage Officer  
No objection subject to conditions
9. CBC Planning Arboricultural Officer  
No objection subject to conditions regarding tree protection, no dig construction and landscaping / tree replacement
10. UK Power Networks  
No response received
11. CBC Environmental Health  
Contaminated Land – no objections subject to Conditions  
  
Noise – policy ENV11 applies and noise mitigation will be required for current road noise and future aircraft noise . The latest noise report shows that the proposed sound reduction from the façade and roof refurbishment works will achieve the internal noise levels required. The works should be implemented in full and a post completion survey is required . Also comments that the outdoor sports pitch would experience high levels of noise and so can only be used until the wide-spaced second runway is operational or it is adequately enclosed.



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Air Quality – the assessment found no existing or predicted exceedances of air quality objectives from road traffic sources, or VOCs (Volatile Organic Compounds) and measures are recommended to mitigate the impact of dust during the construction phase. The main issue to consider would be whether the commercial interests on Manor Royal would be compromised by the existence of the school if statutory nuisance were to restrict business activities as a result of introducing sensitive receptors to an industrial/commercial location.

- |     |  |  |
|-----|--|--|
| 12. | CBC Refuse & Recycling Team            | Issues raised regarding bin collection arrangements and travel distances.  |
| 13. | CBC Energy Efficiency & Sustainability | Recommend conditions regarding energy, water efficiency and for buildings to be network ready for a District Energy Network.                 |
| 14. | CBC Economic Development               | Objection raised due to conflict with Local Plan policy for the economic approach for Manor Royal. Not an appropriate location for a school. |
| 15. | Gatwick Diamond Grow Group             | No response received   |
| 16. | WSCC Fire & Rescue                     | No response received   |

## **NEIGHBOUR NOTIFICATIONS:-**

The application was publicised by press and site notices.

## **RESPONSES RECEIVED:-**

34 responses in support have been received comprising 8 from addresses outside the borough, one from the head teacher and 25 from addresses in Crawley.

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

Major development based on site area of over 1ha.

## **THE APPLICATION SITE:-**

- 1.1 The application site of 1.2ha is situated on the east side of Gatwick Road, on the south side of Tinsley Lane and to the west of Wheatstone Close. The site comprises 2 former office buildings, with extensive areas of hard surfacing /car parking to the front (north) and rear (south) and some landscaping along the road frontages, and was previously known as Gatwick 23.
- 1.2 Gatwick Free School has occupied the site since September 2014, initially operating with the benefit of the one year permitted development rights under Part 4 Class C of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) . In 2015 temporary planning permission was granted until July 2017 for a maximum number of 440 pupils, comprising 180 primary pupils and 260 secondary pupils. A further temporary permission was granted in December 2017 expiring at the end of August 2018 for a maximum number of 537 pupils, comprising 237 primary pupils and 300 secondary pupils.
- 1.3 The school currently (December 2020) has a total of 829 pupils (366 primary and 463 secondary) against a total potential capacity of 1020. There are currently 77.2 full time equivalent members of staff, which at maximum capacity could rise to 105 (FTE). The school occupies both of the buildings

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on the site which have been fitted out offering a range of academic subjects with the required class rooms and equipment.

- 1.4 The site is within Manor Royal in the Main Employment Area, and is within the Northern Industrial Zone identified in the Manor Royal Design Guide SPD. This area has a commercial/industrial character with predominantly offices, manufacturing and industrial buildings and uses. The location is dominated by the road network including Gatwick Road which is a Class C highway, single 2-lane carriageway with bus lanes partially along both sides. Tinsley Lane North and Wheatstone Close are Class D highways, single 2-lane carriageways. Tinsley Lane North has a pavement and grass verge on the southern side and on street parking occurs on the southern side of the road and on the verges. Wheatstone Close has no grass verges, but does have a pavement on either side, with on-street parking along the eastern side of the road and on the pavement on the western side. At the end of Wheatstone Close is the Metrobus depot. Cobham Way is also a Class D highway, single 2-lane carriageway. It has no grass verges, but does have a pavement on either side, with on-street parking on the western side of the road, and partially on the pavement on the east side.
- 1.5 The site is approximately 2.9km north of Crawley town centre. The nearest bus stops are approximately 60 metres (southbound bus stop) and 75 metres (northbound bus stop) from the entrance of the school. Gatwick Road has a segregated full-time bus lane that runs along the southbound route and an intermittent segregated bus lane along the northbound route. There are existing accesses along all 3 road frontages of the application site and there is a row of trees along the northern boundary with Tinsley Lane North/Gatwick Road which are protected by a Tree Preservation Order.
- 1.6 As the site lies within the Manor Royal Main Employment Area it is covered by Article 4 Directions (dating from July 2016 and October 2017) removing permitted development rights to convert employment uses to residential.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 The application was submitted in March 2018 prior to the expiry of the last temporary planning permission and seeks a permanent planning permission to continue to operate the free school from this site. The school would cater for children from reception year through to year 11 and so would be a 'through school' taking children from ages 4 – 16.
- 2.2 The school would comprise a 2 form entry at primary level (capacity 420 pupils), and 4 form entry at secondary level (capacity 600 pupils), making a total of 1020 pupils for the school as a whole. The school would have the potential to operate at this capacity by 2020. Staffing levels at this point would be 105. The intake per year would be 60 reception children and 120 for year 7 pupils. Given the current pupil numbers of 829 as at December 2020 the school is operating at approx. 81% of the proposed final capacity.
- 2.3 The original 2 storey open plan offices have been converted with classrooms and other facilities and the central space of each building provides multi-purpose hall facilities with the double height atrium feature retained. The inter-connecting block would become the new main entrance and dining hall at ground floor level, with a library above.
- 2.4 In addition to the change of use, a number of building operations are proposed, namely the recladding of the building and insertion of additional/replacement windows, the erection of an extension to house a new staircase, the construction of a hard surfaced and fenced Multi Use Games Area (MUGA) and hard surfaced areas to be used as external courts/outdoor PE, the erection of a sports hall building and the creation of an additional play area.
- 2.5 The access and car parking arrangements will comprise the following:
  - pedestrian access from Gatwick Road and Tinsley Lane North
  - main vehicular access into the school from Tinsley Lane North, with egress onto Gatwick Road giving access to the front car parking areas for staff, visitors and parents
  - the two existing access points on Wheatstone Close are to be widened and adjusted to facilitate vehicular access to the rear of the site where there would be the sports hall, a MUGA, hard

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surfaced play areas and the existing substation. The hard surfaced play areas to the rear would also be used for pupil drop off in the mornings

- cycle parking is to be provided at the front of the site in the form of 6 shelters, with 5 stands in each, accommodating 60 cycles in total.

2.6 Since the application was submitted, there have been very extensive discussions following consultation responses and consideration of the application details, resulting in the submission of a range of updated and amended plans and associated documents.

## **PLANNING HISTORY:-**

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

3.2 CR/2015/0020/FUL: CHANGE OF USE FROM OFFICES (B1) TO A CO-EDUCATIONAL SCHOOL (D1) WITH NEW BUILD SPORTS HALL, INCLUDING PARKING, EXTERNAL PLAY AREAS AND LANDSCAPING WORKS: The application was for the permanent use of the site for a school for 1020 pupils. It comprised the change of use of the buildings on the site, with recladding and replacement windows, erection of a new entrance feature, the construction of a hard surfaced Multi Use Games Area (MUGA), the erection of a sports hall building to the rear and a linking canopy between the school building and the sports hall. 13 staff parking spaces were to be provided at the front of the site, together with 46 for parents of primary school pupils, and set down/pick up for secondary pupils along the access route. To the rear of the site 10 staff parking spaces were proposed with 48 spaces for parents on the hard surfaced area and MUGA areas.

3.3 The application was refused for the following reasons:

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

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

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

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

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

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

- 3.4 CR/2015/0638/FUL: TWO YEAR TEMPORARY CHANGE OF USE FROM COMMERCIAL OFFICES TO CO-EDUCATIONAL SCHOOL: Temporary permission was granted until 31<sup>st</sup> July 2017, with a limit on the number of pupils at a maximum of 440, comprising 180 primary pupils and 260 secondary pupils. Conditions were also imposed in relation to the need for a School Travel Plan, and that the use should be implemented in accordance with the car park management plan, staggered timetable and provision of an external play area.
- 3.5 It was considered that the reduced scale of the proposal, and the proposed use for a 2 year temporary period, had addressed the previous concerns. The impact on the character and business function of the area and associated traffic flows and parking requirements were considered to be at an acceptable level and satisfactory for a temporary period.
- 3.6 CR/2017/0596/FUL – TEMPORARY PERMISSION TO ALLOW CONTINUED USE OF SCHOOL FOR ONE FURTHER ACADEMIC YEAR WITH A MAXIMUM OF 537 PUPILS: A further temporary permission was granted until 31<sup>st</sup> August 2018. A condition was attached limiting the maximum number of pupils to 537, comprising 237 primary and 300 secondary pupils. Other conditions related to the operation of the submitted Travel Plan and staggered timetable.
- 3.7 It was considered that the relatively limited increase in scale of the school from the earlier temporary permission comprising an additional 97 pupils and 7 staff for one further year was acceptable for this further period and would allow for the continued B Class use of the building after this period has expired.

## **PLANNING POLICY:-**

### National Planning Policy Framework (2019)

- 4.1 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three overarching objectives - economic, social and environmental. These objectives are interdependent and need to be pursued in mutually supportive ways. At the heart of the Framework is presumption in favour of sustainable development. Relevant paragraphs are:
- Paragraph 11: presumption in favour of sustainable development – this means that development proposals that accord with an up – to –date development plan should be approved without delay.
  - Section 6: Building a strong, competitive economy - significant weight should be placed on the need to support economic growth and productivity  
Section 8: promoting healthy and safe communities – decisions should aim to achieve healthy, inclusive and safe places. Decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. Paragraph 94 states that:  
*‘It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
    - a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications, and*
    - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.’*
  - Section 9: Promoting sustainable transport – states that transport issues should be considered from the earliest stages of plan-making and development proposals. Paragraph 108 states in assessing applications that it should be ensured that :
    - a) “appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location;*
    - b) safe and suitable access to the site can be achieved for all users and:*

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- c) *any significant impacts for the development on the transport network( in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*

Paragraph 109 advises that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety; or if the residual cumulative impacts on the road network would be severe.”*

- Section 11: Making effective use of land – decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- Section 12: Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

## Department of Communities and Local Government - Policy Statement – planning for schools development (August 2011)

4.2 This document sets out the Government’s commitment to support the development of state-funded schools and their delivery through the planning system. It says that the planning system should operate in a positive manner when dealing with proposals for the creation, expansion and alteration of state-funded schools. The following principles should apply:

- There should be a presumption in favour of the development of state-funded schools, as expressed in the NPPF.
- Local authorities should give full and thorough consideration to the importance of enabling the development of state-funded schools in their planning decisions.
- Local authorities should make full use of their planning powers to support state-funded schools applications.
- Local authorities should only impose conditions that clearly and demonstrably meet the tests set out in Circular 11/95.
- Local authorities should ensure that the process for submitting and determining state-funded schools’ applications is as streamlined as possible.
- A refusal of any application for a state-funded school, or the imposition of conditions, will have to be clearly justified by the local planning authority.
- Appeals against any refusals of planning permission for state-funded schools should be treated as a priority.
- Where a local planning authority refuses planning permission for a state-funded school, the Secretary of State will consider carefully whether to recover for his own determination appeals against the refusal of planning permission.

## Crawley Borough Local Plan 2015 - 2030

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

4.4 Policy CH1: Neighbourhood Principle states that the neighbourhood structure of the town is to be maintained and neighbourhood centres are to remain as the focal point for the local community, providing facilities that meet their day– to–day needs within walking distance.

4.5 Policy CH2: Principles of Good Urban Design States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.

4.6 Policy CH3: Normal requirements of all New Development- All proposals for development in Crawley will be required to:

- a) *“Be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context.*

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- b) Be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale density height, massing, orientation, views, landscape, layout, details and materials.*
- c) Provide or retain a good standard of amenity for all existing and future occupants of land and buildings.*
- d) Retain existing individual or groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens that would not be overshadowed by three canopies and proposals should ensure that rooms within buildings would receive adequate daylight.*
- e) Demonstrate how "Secure by Design" principles and guidance set out in the "Secured by Design" design guidance have been incorporated into the development.*
- f) Meet the requirements necessary for their safe and proper use, in particular with regard to access circulation and manoeuvring, vehicle and cycle parking loading and unloading, and the storage and collection of waste.*
- g) In respect of residential schemes, demonstrate how the Building for Life 12 criteria (as amended) for the evaluation of the design quality of residential proposals have been taken into account and would be delivered through the scheme."*

- 4.7 Policy CH6 Tree Planting and Replacement Standards states that 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.
- 4.8 Policy EC1: Sustainable Economic Growth states that the Council will ensure that all suitable opportunities within the borough are fully explored to enable existing and new business to grow and prosper.
- 4.9 Policy EC2: Economic Growth in Main Employment Areas states that proposals for employment generating development at the seven locations identified within the policy will be supported where they contribute to the specific characteristics of the main employment area, and overall economic function of the town, through providing a mix of employment generating uses.
- 4.10 Policy EC3: Manor Royal states that development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings.
- 4.11 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.
- 4.12 Policy ENV7: District Energy Networks requires that all development proposals within a priority area for District Energy Networks should be 'network ready' for connection to a DEN.
- 4.13 Policy ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere.
- 4.14 Policy ENV9 Tackling Water Stress requires non-residential development to meet BREEAM Excellent, where technically feasible and viable.
- 4.15 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.
- 4.16 Policy ENV12 Air Quality states that proposals that do not result in a material negative impact on air quality will normally be permitted. An air quality assessment is required outlining development impacts and mitigation.

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- 4.17 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.
- 4.18 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.
- 4.19 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.
- 4.20 Policy IN5 Location and Provision of New Infrastructure states that new or improved infrastructure in appropriate locations will be supported to support development or where they add to the range and quality of facilities in the town. Major facilities which serve the whole town or wider area should be located in the most sustainable locations accessible by a variety of means of transport.
- 4.21 Submission Draft Local Plan (Regulation 19)

The Crawley Borough Local Plan is under review. The Council published its Submission Draft Local Plan (Regulation 19) on 6 January 2021, for a period of public consultation that closes on 17 February 2021.

The following policies are of note:

- 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: Movement Patterns, Layout and Sustainable Urban Design
- Policy DD1: Normal Requirements of All New Development.
- Policy DD2: Inclusive Design
- Policy DD4: Tree Replacement Standards
- Policy DD5: Aerodrome Safeguarding.
- Policy IN1: Infrastructure Provision.
- Policy IN2: The Location and Provision of New Infrastructure
- Policy EC1: Sustainable Economic Growth
- Policy EC2: Economic Growth in Main Employment Areas
- Policy EC3: Manor Royal
- Policy EC5: Employment and Skills Development
- Policy EC6: High Quality Office Provision
- Policy EC11: Employment Development and Residential Amenity
- Policy GAT2: Safeguarded Land
- Policy G13: Biodiversity and Net Gain
- Policy SDC1: Sustainable Design and Construction.
- Policy SDC 2: District Energy Networks
- Policy SDC3: Tackling Water Stress
- Policy EP1: Development and Flood Risk
- Policy EP3: Land and Water Quality
- Policy EP4: Development and Noise
- Policy EP5: Air Quality
- Policy ST1: Development and Requirements for Sustainable Transport.

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- Policy ST2: Car and Cycle Parking Standards.

## Supplementary Planning Documents (SPD)

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

### Manor Royal Design Guide and Public Realm Strategy (2013)

4.23 This document provides the planning guidance in relation to the Manor Royal Business District to ensure new development makes a significant contribution to the uplift of the area and secures high quality development which supports the key business function. It provides details of potential improvement projects that could be delivered by a variety of landowners and agencies to enhance the wider public realm in the business area as a whole. In particular, it requires all development to demonstrate the following:

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

4.24 With regard to parking the document states that new development must demonstrate how measures to increase the use of more sustainable transport are utilised. Where car parking is proposed, the function and visual impact of the car park layout, as well as its landscaping and relationship with on-site and adjacent buildings, needs to be paramount in site layout and design. Applications need to evidence a commitment to sustainable transport and a reduction in visually intrusive or dominant area of parking.

4.25 In terms of sustainable transport, the SPD requires proposals to create legible routes for pedestrians, cyclists and vehicle drivers to encourage more use of sustainable transport. All proposals should consider opportunities to extend the existing cycle network to improve permeability.

4.26 Gatwick Road is identified as part of the primary road network within Manor Royal and it is stated that the impact and function of Primary Roads throughout the Business District is a critical component that contributes to how the area looks and is used. All development proposals on a primary road should demonstrate how they encourage walking and cycling and create more interesting roadside frontages, increasing biodiversity and ecological value.

4.27 This SPD states in relation to this section of Gatwick Road (north of the Fleming Way junction):

*“In general terms, the existing 3 lane carriageway is 9 to 17m wide with 2m highway verges only outside no.41-71 (odd numbers). There are more generous verges, some of which include tree planting, although these are private soft landscaping areas. The minimum depth of frontage planting is for 10m of shrub planting across the entire primary route site frontage with large scale trees planted to reflect the more informal soft landscaping approach in the vicinity.”*

4.28 The site lies within the Northern Industrial Zone, which comprises two and three storey development and features a prominence of B2 and B8 logistics companies with trade outlets and car showrooms. Development typically comprises fewer active frontages, more prominent servicing areas, and a less spacious public realm with lower quality hard landscaping and less space retained for planting. The aesthetic quality of buildings is generally lower within this zone.

### Urban Design Guide (2016)

4.29 This contains guidelines on the standards the Council expects for public design highlighting in particular the importance of massing and materials, public realm, street design and parking and sustainable design. In addition, it states that applicants and developers are encouraged to consider



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all the end users that a development and any associated public realm will serve so as to strive to cater to all groups (children and young people, the elderly, disabled people etc.).

- 4.30 For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings to the street is encouraged along with opportunities to improve the urban environment and use of landscaping. Walkability and accessibility are important factors in sustainable urban design. All developments should encourage access through walking, cycling and public transport. Developments should encourage the use of public transport, create walkable neighbourhoods and encourage cycling.
- 4.31 It also includes the borough's indicative minimum parking standards. For schools it states these are to be assessed individually within the context of a travel plan using 1 space per 2 staff as a guide.

## Green Infrastructure SPD (October 2016)

- 4.32 This document includes guidance and interpretation on the requirements of Local Plan policies in relation to Crawley's Green Infrastructure assets. It provides further guidance on CH6: Tree Planting and Replacement Standards.

## Planning and Climate Change SPD (October 2016)

- 4.33 This SPD sets out advice on making developments sustainable and gives additional guidance on policies ENV6, ENV7, ENV8, ENV9 and IN3.

## Developer Contributions Guidance Note (July 2016)

- 4.34 This sets out the Council's approach to developer contributions following the introduction of the Community Infrastructure Levy. It provides details of the CIL charges and when s106 contributions will be sought.

## Regulation 123 List (July 2016)

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

## **PLANNING CONSIDERATIONS:-**

- 5.1 As set out above a previous application for the whole school (1020 pupils) was refused in 2015. In considering this current application it is necessary to examine whether the previous 6 reasons for refusal have been addressed and/or circumstances have changed.
- 5.2 The main planning considerations for this application are considered to be:
- the principle of the school use in this main employment area
  - sustainability and highway safety/access/parking considerations
  - the operational needs of the development
  - design/appearance of the alterations and new works
  - quality of the environment for occupiers of the school
  - future uses of the site and impact on economic role and function of the wider Manor Royal area
  - impact on landscaping and trees
  - energy efficiency and sustainable construction
  - contaminated land
  - drainage
  - Manor Royal contributions
  - S106 requirements

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## The principle of the school use in this main employment area

- 5.3 The development plan policies that apply to this site aim to ensure that Crawley can meet the economic growth needs of the town as a strategic employment location. The policies direct employment uses to specific locations and protects existing employment uses in these locations. There are also policies aimed at infrastructure provision and especially improving accessibility for all to a wider range of community services, including education.
- 5.4 In terms of economic policies, Manor Royal is identified as the key business location for Crawley, this locality.
- 5.5 Policy EC1 seeks to protect and enhance Crawley's role as the key economic driver in the Gatwick Diamond, enhancing the economic role and function of the main employment areas. The policy identifies an overall need for 57.9 hectares of business land in Crawley over the Plan period to 2030. As a result of Crawley's constrained land supply position, the available business land supply pipeline is only 23 hectares, resulting in a business land supply shortfall of 35 hectares over the plan period to 2030. Since Local Plan adoption, the available business land has continued to reduce as sites are built out, and the land supply pipeline is currently 17.56ha, as per the Employment Land Trajectory (Base Date 1 September 2020). This places particular importance on the need to promote and protect the available land supply for business uses, and the overarching policy position is therefore to retain the available supply of employment land for business use.
- 5.6 Local Plan Policy EC2 states that as a key economic driver in the sub-region, Crawley's main employment areas make a significant contribution to the economy of the town and the wider area. Therefore Main Employment Areas are identified as a focus for sustainable economic growth, each of which has different character and function. The policy states that proposals involving a net loss of employment floorspace in any Main Employment Area, will only be permitted where they are able to demonstrate the following:
- The site is no longer suitable, viable or appropriate for employment purposes, and
  - The loss of any floorspace will result in a wider social, environmental or economic benefit to the town, and
  - There is no adverse impact on the economic role or function of the Main Employment Area and wider economic function of Crawley
- 5.7 Local Plan Policy EC3 deals specifically with Manor Royal and states that Manor Royal is the principal business location for Crawley and instrumental to the success of the wider Gatwick Diamond. The policy states that proposals that are not for B Use Class development will be permitted at Manor Royal if it can be demonstrated that they are of a scale and function that enhances the established role and business function of Manor Royal and would not undermine the business district. It should be noted that the Use Classes Order was revised in 2020 and Class B1 is now incorporated into Class E Commercial, Business and Service.
- 5.8 The school is not a B Class Use and thus in principle could be regarded as contrary to the employment protection policies. The application site is located within the heart of Manor Royal and has resulted in the loss of a purpose built office building. However, it does provide employment, (although its main use is the provision of education services) and it is stated that the ethos of the school is to build upon the links with the business community. Prior to the school's occupation, the office buildings had been empty since 2009 so the opening of the school has resulted in this vacant site being brought back into use. In addition, the school advises that a significant number of parents are employed in Manor Royal and so there is an element of joined traffic movements.
- 5.9 It is appreciated that the building was vacant when the school first moved onto the site, but it should be noted that this was in the height of the economic crisis at that time. In terms of the current situation, the Council has updated its economic evidence and this work takes account of the economic situation post Covid-19 and includes sensitivity checks. The updated evidence continues to identify a significant need for new business land over the forthcoming Plan period. This is specifically within the industrial/storage and distribution sectors, with sufficient land supply in place to cater for Crawley's quantitative office needs. However there is a qualitative need for grade A specification offices, both in Crawley and the wider sub-region. The loss of the office floorspace

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from these buildings, which represented one of the few purpose built Grade A offices in Manor Royal, is regrettable.

- 5.10 Notwithstanding this, Policy EC2 relates to all forms of employment floorspace and not just business. The previous temporary permission supported 46 jobs, and currently (December 2020) there are 77, rising to 105 at full capacity. Having regard to the NPPF the proposed use as a public/community use would constitute economic growth and jobs.
- 5.11 In terms of Policy EC3, the submitted Economic Statement explains that the Gatwick School have now operated from the site since 2014 and over this time have sought to encourage and put in place links with the business community, notably through mentoring programmes, work experience and participation in events such as STEMfest.
- 5.12 With regard to infrastructure policies, including local community facilities, Local Plan policy IN5 supports the provision of new educational facilities provided they are located in the most sustainable locations, and accessible by a variety of means of transport.
- 5.13 In this regard, a significant material consideration is the need for additional school places in Crawley to meet the requirements of the current and future population at secondary level, together with central government aims to promote state funded (free) schools. This is evidenced by the permitted development rights afforded to such uses and government policy as set out in the NPPF and the DCLG policy statement which gives significant weight to the establishment and development of state funded schools.
- 5.14 The current school place situation in Crawley, as set out in the Crawley Infrastructure Plan January 2021, is that the primary schools are at 90% capacity and the existing secondary schools are at 96% capacity. Even taking account of the four forms of entry at secondary level currently provided at the Gatwick Free School, new planned housing development in the borough will generate the need for an estimated 6-8 further forms of entry at secondary level. Any loss of the Gatwick Free School places would exacerbate this further. Due to the lack of a suitable site for a new secondary school in Crawley, the Local Plan makes allowance for consideration of education provision on sites allocated for uses including housing. In addition, discussions are taking place with neighbouring authorities. In these circumstances this application, which would result in the provision of a total 1020 school places, including 600 at secondary level, is a significant benefit that must be brought into the planning equation and carry substantial weight in the overall balance of the various factors.
- 5.15 Furthermore, the school is offering to open its facilities out of hours to the wider community, including the Upper Main Hall, Lower Main Hall, Atrium/Exhibition space, Dance Studio, Sports Hall and the MUGA. This could provide corporate and training events, fitness and sports activities. It is argued that this illustrates the positive links that the school has made with Manor Royal and addresses the deficiencies in the provision of conferencing and leisure facilities in the main employment area. These matters can be secured by a s106 legal agreement.
- 5.16 In conclusion, whilst the loss of the office business floorspace is regrettable, this has to be balanced against the direction of national policy for education. The need for school places in Crawley is acknowledged, especially at secondary level. The increased choice of educational establishments this facilitates within the borough and the wider benefits in terms of skills and training is understood. Also the employment element of this use and the community use aspects are also acknowledged. Thus in general terms the operation of an educational establishment within the main employment area of Manor Royal could be acceptable in principle and at a broad overarching level could be argued to be in accordance with the overarching aims of the economic policies set out in EC1, EC2 and EC3 of the Local Plan, as well as being in compliance with policy IN5 by providing additional educational infrastructure.
- 5.17 However, it is also necessary to look in detail at the specifics of this proposal, including the size and scale of the school, the site and its physical characteristics, its Main Employment Area context and the day to day operation of such a facility, as all these aspects will have an impact on Manor Royal and surrounds. In particular the creation of an all through school of 1020 pupils with 105 staff on this limited and physically constrained site within an industrial/commercial area of the borough, and the associated traffic and sustainability implications of this school use, together with the overall scale,

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extent and operational needs of the development, will need to be carefully assessed and viewed as part of the overall planning balance. These aspects are assessed in more detail below.

## Sustainability and Highway Safety/Access/Parking Considerations

- 5.18 A key element of Crawley's Local Plan and the NPPF is the requirement for proposals to be based on the principles of sustainable development. Thus, in line with the planned approach of Crawley as a New Town, and the spatial patterns relating to the neighbourhood principle, when considering development proposals the Council will take a positive approach to approving development which is sustainable. These considerations are set out in Policy SD1 Presumption in Favour of Sustainable Development and they then follow through into the other policies of the Plan.
- 5.19 Policy CH1 states that the neighbourhood structure of the town is to be maintained and the neighbourhood centres are to remain as the focal point for the local community, providing facilities that meet their day-to-day needs within walking distance. Policy CH2 states that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- 5.20 Policy CH3 states that all proposals for development in Crawley will be required to meet the requirements necessary for their safe and proper use, in particular with regard to access, circulation and manoeuvring, vehicle and cycle parking loading and unloading. Policy IN3 states that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking networks. Furthermore, the policy states that developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety. Development will be permitted unless the cumulative impact on the transport network is severe and cannot be satisfactorily mitigated.
- 5.21 Given the location of the site and the scale of the school proposal, these sustainability and highway concerns were such that the previous application for 1020 pupils was refused. With regard to this current application these issues have been the subject of extensive discussions between the applicants and their agents, CBC officers and WSCC as highway authority. The applicants have been requested to demonstrate that these issues have been fully addressed and this has thus resulted in a range of updated and revised documentation being submitted. The specific issues are considered below in turn.

## *Sustainability*

- 5.22 Firstly, it is necessary to examine whether the principle of this location for a school is acceptable in sustainability terms, in particular in regard to travel mode and movements. The application site is located in Manor Royal, to the east of Gatwick Road, which is a busy highway with significant volumes of traffic. In addition, Tinsley Lane North and Wheatstone Close are heavily trafficked and extensively used for on street parking, which is, in the main, associated with the surrounding businesses and industrial uses that make up Manor Royal.
- 5.23 The site is not in a residential area or neighbourhood and so there is no immediate pupil catchment area serving this school. The only residential property in the immediate environs of the school site is Bowthorpe House (22 flats) to the immediate south of the site. The closest residential streets are Tinsley Lane and surrounds to the south of the site, accessed from Gatwick Road. The northernmost point of Tinsley Lane is some 600m away from the school site. Forge Wood and Tinsley Green lie to the east on the opposite side of the railway line and would access the site via Radford Road, and Tinsley Lane North/Gatwick Road/Cobham Way. The junction of Tinsley Green with Radford Road is 700m away and the centre of Forge Wood 1,270m away and access involves journeys on foot through the Manor Royal employment area including the very highly trafficked Gatwick Road, or side streets such as Cobham Way which have significant traffic flows and extensive levels of on-street parking.
- 5.24 Thus the majority of pupils live some distance from the site, although it is acknowledged that over the time that the school has been operating from this site, more pupils are coming from the Crawley

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area. In this respect the agent has referred to the location of the Forge Wood development and the Tinsley Lane Local Plan residential allocation. It should be noted however that Forge Wood is a neighbourhood in itself and already has its own primary school. The Tinsley Lane site is an allocation only, for up to 120 dwellings, and so would not constitute a neighbourhood. The recent outline application for up to 150 units was refused.

- 5.25 Clearly for this application the location of the application site and its overall context in Manor Royal and is within the scope of the influence of the school are the associated traffic movements and parking demands. It is important to note that for the 2015 application that was refused the traffic forecasts and parking demands were based on assumptions made in the Transport Assessment, which were taken from then current school population of 54 pupils. At that time there was uncertainty about the travel origin of pupils, and future modal choice when the school would be operating at capacity, especially as at that moment in time the school was operating with a very limited number of pupils and so travel patterns were not necessarily representative of the current situation.
- 5.26 Since that time the data of actual movements and mode choice have been used to inform the traffic modelling and parking demands data, as suggested by WSCC Highways. The current application has thus updated the position and has used information from surveys undertaken in 2017 and 2019 and data supplied in the Travel Plans (from 2018 and 2019) and the various Transport Assessment documents. During this period the school has also been operating Travel Plans, staggered timetables, and before and after school clubs and activities, all of which have an impact on traffic movements
- 5.27 Using the traffic information now presented, it remains clear that since 2015, at present and as forecast, the overall the majority of trips to the school site have been/will still be by car, given the location of the site within Manor Royal, albeit with an increase in the number of trips by walking, cycling, bus and train.
- 5.28 In 2015 the Travel Plan indicated that there were no trips on foot or by train, with other modes as follows:
- Primary pupils - 80% car, 15% car sharing and 5% bus.
  - Secondary pupils - 45% car, 50% bus and 5% cycle.
- 5.29 Using data from the September 2017 surveys it has been ascertained that the travel modes were:
- Primary pupils - 53.9% car, 24.5 % car sharing, 0.5% park and stride, 3.9% walking, 2.3% cycle, 15.2% bus and 0% train.
  - Secondary pupils - 28.4% car, 13.45% car sharing, 1% park and stride, 2% walking, 5.2% cycle, 48.5% bus and 1.3% train.
- 5.30 A further survey in November 2019 indicates that the travel modes were:
- Primary pupils – 57% car, 25% car share, 1.5% park and stride, 3.5% walking, 1.5% cycle, 10.5% bus and 1% train.
  - Secondary pupils – 25.5% car, 10.5% car share, 2% park and stride, 5.5% walking, 5% cycle, 50% bus and 0.5% train.
- 5.31 This latest mode share survey shows that there has been an increase in the number of primary school pupils travelling to/from the school by car, and decreases in walking, cycling and bus use. For secondary pupils there has been a decrease in car travel, and increases in walking and bus use.
- 5.32 The submitted documents also state that the modal shift amongst pupils that has occurred since the 2015 application is a result from the increased proximity of pupils to the site, accessibility by non-car modes and an increased age profile. In the future further mode shift is considered likely on the basis that the age profile of the school will increase further, the catchment area would shrink as the school becomes more established and both of these factors would allow more pupils to travel by non-car modes.
- 5.33 In the future the pupil travel plan (dated April 2019) aims to effect a modal shift in travel patterns with a 5% and 10% reduction in car trips associated with primary and secondary school pupils

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respectively. Thus the target mode share for full school occupancy of 1020 pupils would be as follows:

- Primary pupils - 48.9% car , 24.5% car sharing, 0.25% park and stride, 3.9% walking, 2.3% cycle, 20.2% bus and 0% train (modal shift is the bus)
- Secondary pupils - 18.45% car, 13.3% car sharing, 1% park and stride, 2.05% walking, 11.2% cycle, 52.5% bus, 1.3% train (modal shift is cycle and bus)

- 5.34 It is appreciated that car use has declined from the initial high in 2015 and there has been a rise in the number pupils walking to school, when originally no pupils were walking. However, the level of car related journeys remains high, which is a result of the location of the school away from main residential areas, and outside of any neighbourhood. WSCC have commented that *'in considering the potential for walking trips, there are very few residential dwellings within 2km of the site...Whilst it is acknowledged that there are continuous footways in the local area and suitable crossing facilities available or proposed as part of the current application ...or other applications... the greatest barrier to walking is likely to be distance.'*
- 5.35 In sustainability terms this is not ideal and differs significantly from the usual arrangements in Crawley where schools are sited in appropriate locations to serve the local neighbourhoods and pupil catchment areas, allowing the majority of pupils the option of walking to school, especially those of primary school age.
- 5.36 WSCC Highways have consulted their Safer Routes to School team who have raised *'general concerns about the environment that pupils will encounter everyday given the close proximity to the Metrobus depot and the presence of other large vehicles associated with the nearby businesses. There are also concerns with the on-road parking provisions that are clearly being stretched to capacity. Taking both these points, it is questioned whether this is an appropriate location for a school, albeit it is acknowledged that the suitability is a matter for consideration by the Local Planning Authority.'*
- 5.37 The continued heavy reliance on the private car is of concern and is contrary to national planning advice and the policies in the Local Plan, all of which focus on sustainable development to serve local communities. The application seeks to increase the limited number of pupils previously approved by the temporary planning permissions to the 'full' school population of 1020 pupils. It is acknowledged that there has been an increase in the number of pupils who live within 2km to the site and an increase in pupils travelling to the site by bus and cycling. However, the main mode of pupil travel to the school is by private car and this is not predicted to reduce significantly.
- 5.38 In addition, it is important to note that the overall scale and extent of the school use has not changed from the refused 2015 application. The proposed pupil numbers would remain at 1020 pupils for the primary and secondary combined 'all through' school, with the sports hall and parking areas in the existing grounds. Also the site area has not increased, the proposed pupil numbers have not been decreased, an all through school is still proposed and none of the facilities proposed been relocated to other sites. Whilst car use has declined, and the school has made efforts to promote alternative travel modes, there remains concern at the scale of trips to the site by car and that there are no real options for an alternative to car travel to effect a significant and meaningful modal shift away from the car. These are all factors which if they had been addressed via a revised submission may have offset or reduced, to a limited extent, the unsustainable nature of the development of a school at this scale, on this site, in this location.
- 5.39 Whilst the improvements that have been realised in transport patterns are acknowledged, it is considered that the current application has not addressed this issue sufficiently to set aside the previous concerns and officers are of the view that the sustainability issues remain. However, these must be weighed against the wider benefits of the proposal including the provision of a significant number of school places and the overall planning balance.

## *Access and impact on road network*

- 5.40 As well as considering whether the principle of this location for a school is acceptable in sustainability terms, it is also essential to ensure that the development would be satisfactory from a highway safety point of view, in terms of the access, impact on the road network and the car parking

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arrangements. In addition it is necessary to consider whether any other arrangements or initiatives that have been used and those as now proposed would realistically effect a modal shift away from car use. These elements are considered in more detail below.

- 5.41 Previously there was concern that the volume of traffic associated with the school in this location on the road network had potential to conflict with existing traffic flows on the surrounding streets, resulting in congestion and blockages, particularly at the morning peak period.
- 5.42 It is proposed that the main school access will continue to be taken from Tinsley Lane North, which has on-street parking along its length which can restrict two-way flows. Vehicles would then exit onto Gatwick Road from this front part of the site. The school operates an informal 'no right turn policy' for this exit point, although it is shared with the office to residential conversion at Bowthorpe House, and so cannot be enforced. Access would also be gained from Wheatstone Close, to the rear of the site, to access the sports hall and hard surfaced areas, which would also be used for kiss and drop in the mornings. The width of Wheatstone Close is effectively reduced due to on-street parking and there is extensive car parking on the pavements and verges. The road also provides access to the Metrobus depot and so this route is in regular use 24 hours a day by large vehicles with very limited possibility for passing.
- 5.43 The School has introduced a Travel Plan, which is aimed at reducing the reliance on the car and encouraging other modes of travel. As part of the revised documentation that has been recently submitted there is one Travel Plan for pupils and another for staff.
- 5.44 The school also operates a staggered timetable, breakfast clubs and after school activities in order to stagger traffic flows to the school. These measures sought to lessen the impact of the additional traffic on the highway network at peak times, and to spread the volume of traffic. The staggered timetable has been further revised for the 2019/2020 academic year, resulting in a slightly shorter school day than previously.
- 5.45 The current core hours are 8.45am start for the primary school, with a staggered finish time depending on the year group, being 2.50pm (reception ), 3pm (years 1 and 2) and 3.15pm (years 3 – 6). For the secondary school pupils the core hours are 8.30am – 3.30pm. This is then augmented with an earlier start for a breakfast club of 7.30am and a later finish of 4.15pm (primary) and 4.30pm (secondary) for after school clubs and a 6.00pm finish for child care. These measures would be required to continue and would be needed to be secured via a condition.
- 5.46 WSCC have provided extensive comments throughout the application process, requesting additional information including revised traffic modelling and junction analysis, updated travel plans and parking capacity studies. They have considered the updated traffic information, how the school is currently operating and also assessed the projected increase in pupil numbers.
- 5.47 With regard to the access arrangements and associated works (Tinsley Lane North onto Gatwick Road and Wheatstone Close) WSCC considers them to be appropriate and acceptable. The associated parking restrictions will provide a means to prevent parked vehicles for obstructing the access and junctions. However, it is noted that the proposed parking restrictions would be subject to a further statutory consultation process that is separate to the current planning application, the outcome of which cannot be guaranteed. WSCC advise that contributions by the applicant to cover the cost of advertising, making and implementing the Traffic Regulation Order would be required.
- 5.48 It is also noted that additional parking restrictions in the wider Manor Royal area are mentioned, which may be introduced in the future (by CBC/WSCC). These proposals are independent of this current application and would be subject to what is likely to be a complex and lengthy consultation process. There is also no certainty that any parking controls for the wider area would be implemented. These measures could not be relied upon to assist in lessening the impact of staff and parent parking on nearby streets.
- 5.49 In respect of highway capacity and the volume of traffic to/from the school, access arrangements and flows on the network, the reports have assessed a number of junctions/roundabouts/traffic lights in the Manor Royal area. These have been updated, most recently following the revision to the length of the school day in 2019/2020. For the pm peak the traffic impacts are spread over a

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number of hours with primary and secondary finish times occurring at separate times. Thus it is only some staff and some pupils attending after school clubs that depart during the traditional pm network peak hour.

- 5.50 The impacts on the am peak are greater as school flows occur during the main peak times. For the A23 London Road/Gatwick Road roundabout, Gatwick Road/Beehive traffic signals, Gatwick Road/Radford Road roundabout, Hazelwick Roundabout, Manor Royal roundabout, A23 Tushmore roundabout there are either no capacity issues forecast, or there will be increased delays but queue lengths do not increase significantly, or will be improved when planned future improvements of these junctions are undertaken.
- 5.51 In respect of the Gatwick Road/Fleming Way roundabout, there would be increased queuing on the northbound Gatwick Road arm. WSCC suggest that a monitor and manage approach be adopted so that the impact of the school on this roundabout could be considered at the time full occupation is reached and in the event that monitoring reveals a need for mitigation, suitable measures can then be implemented. Possible mitigation measures have been assessed and the proposal is that the works to the northbound bus lane could be implemented to allow both guided and non-guided buses to use the lane.
- 5.52 Officers acknowledge these comments and appreciate that the current transport documents as now submitted are more realistic, being based on actual data gained from the operation of the school. It is also considered that the staggered school timetable does assist in spreading parking demands, albeit that the school day is now shorter than when the school originally opened. The measures set out in the Pupil Travel Plan are also noted and whilst the majority of journeys will continue to be by car, the school is positively encouraging other modes and as the age profile of the school increases as the school expands, with proportionally more older children, the potential for bus travel and cycling would increase.
- 5.53 However it is considered that the staggered timetable does not completely address traffic flow concerns as it should be noted that the am peak period for the school coincides with the peak period for the surrounding businesses, so the impact will be greater as it is concentrated into the same, shorter period, whereas the afternoon peak period for the school is earlier than the general pm peak period and so the effect of school traffic on overall pm traffic flows is not so great, although the staggered timetable does result in some flows into the general pm peak period.
- 5.54 If it were decided that the staggered timetable would be sufficient to set aside the concerns about volumes of traffic, then such an arrangement would need to be secured via a condition or s106 legal agreement.
- 5.55 There is also an element of uncertainty with regard to the take up of breakfast and after school clubs which can assist in spreading parking demands, (which is considered in more depth below). The Pupils Travel Plan of April 2019 shows that the proportion of pupils using this facility is relatively low. Use of such clubs would be voluntary and cannot be guaranteed. For example, primary attendance at breakfast club (from 7.45 – 8.15am) is 15% of total primary pupil numbers and secondary attendance at after school activities (from 16.30 – 17.30pm) is 12.8% of total secondary pupil numbers.
- 5.56 Turning to staff travel patterns, officers have been particularly concerned with the Staff Travel Plan, as despite aims and measures to reduce the use of the car by staff, this has not been realised and the level of car use has risen over time since 2015 and although has reduced recently it is now at essentially the same level as when the school first opened.
- 5.57 Using data supplied with the application, the percentage of staff driving to school in February 2016 was 66.7%, in April 2017 it had increased to 70.4% and in September 2017 it was at 80%. By May 2018 it had reduced to 79.5% and in June 2020 it was at 63%. It is not clear the extent to which the Covid19 situation has impacted on the latter figure.
- 5.58 The Travel Plan initially submitted with the application dated February 2018 indicated that the target for February 2018 was to reduce staff single occupancy car trips from 80% to 24.8%, with the next review scheduled in October 2018.



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- 5.59 Following concerns from Officers and WSCC about the high numbers of staff still travelling to the site by car and that modal shift to other more sustainable modes had not occurred to a significant degree despite the stated targets, a specific Staff Travel Plan was requested.
- 5.60 The initial Staff Travel Plan document was submitted in June 2018. This stated that from the September 2017 level of 80%, a follow up survey in May 2018 indicated that the level of car drivers had reduced to 79.5%.
- 5.61 The staff Travel Plan also included the following targets - if the 79.5% level remained by October 2018, then additional measures would be implemented to reach 37.9% by October 2019 and 30.5% by October 2020.
- 5.62 It is acknowledged that the school has introduced the use of limited parking permits for staff, and restricted the number of spaces accordingly. There have been 15 spaces at the front of the site for staff. At full capacity (1060 pupils and 105 staff) and with the new car park layout, there would be for permits for 26 staff cars to park at the front of the site.
- 5.63 The parking standards for staff set out in the Urban Design SPD require 1 space per 2 members of staff, which would equate to a 50% provision. The school at full capacity would have 105 staff and so would require 53 spaces. With the 26 spaces to be allocated on the site there would thus be a shortfall of 27 spaces from this adopted minimum standard.
- 5.64 It is also clear that given current staff numbers and the May 2018 figure of 79.5% level of car use, the staff parking permit measures to date had not been effective in reducing car use and staff must therefore be parking on surrounding streets. The anticipation was that by reducing staff parking spaces on the site this would encourage travel by other means. However, the effect of limiting staff parking had made little difference to car use. This then added to concerns that the objectives of the staff travel plan to reduce this to 37.9% by October 2019 was unrealistic and that future levels of car use by staff and thus associated demands for staff parking will undoubtedly increase, as staff numbers will rise when the school becomes fully operational. At this point staff numbers would be 105, and so a 79.5% car usage rate would equate to 83 members of staff using a car to travel to school, constituting a shortfall of 57 spaces over the 26 spaces to be provided on site. The latest figures of 63% car usage rate would equate to a figure of 66 members of staff, giving a shortfall of 40 spaces.
- 5.65 The School has thus been asked on a number of occasions what other measures they could introduce to reduce staff car use. The initial Staff Travel Plan dated June 2018 referred to additional measures such as a 'park and ride scheme' in relation to car parks in the wider area and convenient bus services, an offsite car parking location operated by a third party for staff to use, use of a minibus to/from park and stride locations, minibuses for travel for staff to/from home addresses. It is not considered that any of these options offer realistic or appropriate alternatives, especially as the location of these facilities are unknown and the likelihood of these being actually secured in the Manor Royal area is low given the very high parking demands that currently exist and the severely constrained parking availability in the surrounding area.
- 5.66 In response to these concerns a revised Staff Travel Plan was submitted in October 2018. This continued to include these general arrangements referring to other car parks in Manor Royal, but no specific locations were mentioned and the revised document also suggested the use of the Town Hall car park, to be combined with the use of buses from The Broadway to reach the site. However, this was not considered by officers to be realistic or practical given the distance from the site and the various stages of the journey that this would involve for staff so the likelihood of school staff parking in the town centre and then travelling by bus to Manor Royal was considered to be low. In addition, this suggestion did not take into account the approved redevelopment proposals for the Town Hall which will have an impact on the overall number of spare spaces.
- 5.67 Your officers were of the view that this situation remained a concern as it is staff travel patterns where potentially a greater impact on modal shift can be achieved and yet that has not happened. It was disappointing that after all this time the school had not produced a realistic and workable travel plan to address the concerns over staff parking.

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- 5.68 The proposal would result in a deficit of 27 staff parking spaces when assessed against the number required by the parking standards. This, combined with the current travel patterns of staff whereby 63% are travelling to work by car, (effectively a deficit of 40 spaces), would result in a significant overflow of staff cars on surrounding streets. This would effectively use up any spare spaces that potentially could be utilised by parents, other residents or local businesses.
- 5.69 Following these ongoing concerns with the Staff Travel Plan, the school was again asked to continue to pursue alternative options for staff parking. A revised Staff Travel Plan was submitted in June 2020 and further correspondence in October 2020 confirmed that off-site spaces have been secured at two locations, to be used between 0700 and 1800 hours in term time. These comprise 50 spaces at the Greyhound Public House in Radford Road, which will be used for park and stride and 2 spaces at Copthorne Golf Club which will enable car sharing. Documentary evidence has been supplied to indicate that these 2 locations are available for school use, although there will be a reliance on the owners of those sites allowing the car parking to take place in the future, and so this provision may not be available on a permanent basis. In these circumstances, these elements will need to be covered by a review mechanism in the Staff Travel Plan, which itself will be secured by the s106 legal agreement. If in future years these specific sites are no longer available for the school to use, then under the review mechanism alternative provision would be required. It is understood that the school is also actively looking for further sites in the Manor Royal area.

## *Bus travel*

- 5.70 In terms of bus travel, the site is well served by a number of frequent services. There are 2 bus stops in the immediate vicinity of the application site, one on either side of Gatwick Road, serving 7 routes. The stop on the eastern side of Gatwick Road (southbound) is 60m away from the pedestrian entrance to the school. The northern bound stop is some 75m away on the other (west) side of Gatwick Road and so involves pupils crossing the road. Currently in order to do this pupils have to cross over the south bound lane and stand in the pedestrian refuge and wait for gaps in the traffic before crossing the north bound lane. As part of this application a pedestrian crossing is proposed, the details of which have been subject to a safety audit, which are satisfactory and the crossing would need to be secured by way of s106 legal agreement.
- 5.71 With regard to bus capacity, Metrobus has advised that they '*expect to be able to cater for the additional demand and help the school meet its ambitious mode share targets*' other than in regard to the Route 200 which serves Ifield, Gossops Green and Langley Green. In the am peak two of these services (07:41 and 08:11) would be at capacity from September 2019 given the anticipated growth in pupil numbers.
- 5.72 Metrobus is prepared to provide an additional service on Route 200 during the morning peak hour during term time to arrive at Gatwick Road between 08:00 and 08:20, subject to Gatwick School paying a contribution towards the running costs of that service.
- 5.73 Following extensive discussions on this point, the applicant has now agreed to pay a subsidy for a 3 year period of £28,000 pa. This would need to be secured via a s106 agreement. After the 3 year period Metrobus have advised that they consider that the general demand for this service would grow as other residential development along that route occurs. In consequence the service would be self-supporting and Metrobus advise that at the end of the 3 year period they would be in a position to consider running the service without subsidy from Gatwick School.
- 5.74 A similar approach has been used elsewhere in the Borough for the Forge Wood development where a time-limited contribution has been made by developers to subsidise a bus service until general demand increases.

## *Cycling*

- 5.75 For cycle trips there is a greater potential for this mode to be used as 5km is the acceptable maximum distance. However, consideration needs to be given to the volume and nature of traffic (especially the number of HGV movements) on roads in the vicinity and at the actual destination, given the site's location in Manor Royal, and the potential inexperience of cyclists, especially in the

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primary age range, as well as secondary pupils, of this type of journey. WSCC advise that on-carriageway conditions are not favourable to encourage cycling. Also, whilst there are cycle routes in Manor Royal, they are not fully connected and so do not provide continuous links to nearby neighbourhoods. There is a segregated cycleway on the western side of Gatwick Road that passes the school, leading from Fleming Way to the west. However, pupils would need to cross Gatwick Road to access the school. The proposed pedestrian crossing would assist in this regard.

- 5.76 In terms of cycle parking, for the 2015 application 20 spaces were proposed. This has now been increased to 60 spaces for the current application and are located at the front of the site, close to the entrances to the building.

## *Parking*

- 5.77 Parking standards are set out in the Urban Design SPD. For schools this relates to staff parking and it states that schools are to be assessed individually within the context of a travel plan using 1 space per 2 staff as a guide.
- 5.78 For this application, as well as the required provision for staff, (which has been examined above in paragraphs 5.56 -5.69), it is considered that provision on-site also needs to be made for parent parking, especially given the projected modal split, with a very low number of trips on foot, the relative remoteness of the school from pupils' homes and the lack of readily available on-street parking as surrounding streets are congested.
- 5.79 Following continued concerns raised about these issues and the number of car parking spaces, their layout and use, the provision and management of the car parking arrangements have been the subject of a number of revisions. The latest proposals have been simplified for the 2020/21 academic year and are included in the latest Car Park Management Plan dated December 2020.
- 5.80 The 69 car parking spaces proposed to the front of the site would include 26 spaces for staff and 4 spaces to accessible standard. The plans also show pedestrian routes through the school grounds to the pupil entrances into the buildings. Zones are identified where parking is permitted and where set down/pick up can and cannot take place along the access route at the relevant times.
- 5.81 In the morning all parents can use the managed 'kiss and drop' system, which is the in/out the route through the front car park. Cars enter by Tinsley Lane North through to Gatwick Road. This would accommodate 19 cars with one drop off every 1.5 minutes. The 19 car 'spaces' to be accommodated on the front access route for drop off in the morning has now been shown on the car park management plans. It is noted that 2 of these 'spaces' would be across the two pedestrian routes within the school grounds which would lead from the pavement in Tinsley Lane North and Gatwick Road to the paths to the main entrance doors and secondary school entrance doors of the building. No parent parking would be allowed in the morning in the remaining 39 spaces to the front of the site. These spaces would be coned off. Additionally, the rear of the site can be used for 16 vehicles to drop off in the morning by selected year groups as required.
- 5.82 In the afternoon, there would be no 'pick up' along the front access route but a permit system is operated for the front car park so that parents can park and wait in the 19 parent spaces with timings for the different year groups to reflect the staggered timetable. These permits specify the arrival and departure times and allow for a maximum stay of 7.5 minutes.
- 5.83 Overall across the site there would be 69 marked bays (of which 39 are for parents) and 35 vehicles could be accommodated for kiss and drop (19 to the front and 16 to the rear). Thus for parents there would be a maximum of 35 kiss and drop spaces in the morning, and 39 formal parking spaces in the afternoons.
- 5.84 The southern part of the site, which was the rear office car park, is to be remodelled and the area between the school and the sports hall and MUGA would now be a hard surfaced play area. Previously this part of the site was also proposed to be used as parking for parents of primary school children in the mornings and afternoons. 69 spaces formal spaces were to be provided for this purpose, with access/egress via one of the two revised access points off Wheatstone Close. Following concerns about the mix of parking and play areas, and as part of the general review of the

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overall parking arrangements, this aspect has been removed from the scheme, albeit that it is to be used for drop off in the mornings, with the route accommodating 16 cars, but no formal spaces will be provided.

- 5.85 It has been now clarified that the current arrangements for parents collecting primary school children at the end of the school day is from the Primary School entrance, at the front of the site. The School has advised that *'pick up times are staggered and strictly controlled. Parents arrive at allotted times to pick up their children and then immediately exit the site, Parents are not permitted to park on site for extended periods of time'*. Previously the waiting area for parents was at the rear of the site and there was concern at the potential for conflict between pedestrians and cars, in this area.
- 5.86 For the 2015 application WSCC commented that even with the additional parking provision as then proposed, there would still be a shortfall in parking given the demand for car travel to the site. The parking surveys indicated that there was limited on-street parking availability and a number of these spaces are not conveniently located to the school or especially apparent to those parents requiring a short term space and would require parents and pupils to walk through part of the adjacent industrial estate. In addition, it was felt that parking demands may vary from day to day depending on the weather and the season, and more significantly when considering at that time the unknown travel habits of future pupils. There was little flexibility for on-street parking to meet any overflow demands. WSCC considered at that time that the parking demands and lack of on-street parking were a significant highway consideration with the potential for the operation of the school to result in obstructive or unsafe parking within the surrounding area including Gatwick Road despite the presence of no waiting at any time restrictions.
- 5.87 With the current application, given the recent revised car parking arrangements and the analysis of parking demands which is now based on data from existing pupils, WSCC consider that as there are staggered finish times for different year groups, the impact of car parking demands can be spread. The permit system will limit the number of parent cars using the car park at any one time. However, WSCC have also advised that account should be given to additional measures including before/after school clubs/care and the objectives of mode shift as set out in the Travel Plan, and have concluded that the potential impact on parking would not be considered severe.
- 5.88 The Pupil Travel Plan indicates that measures would be introduced to aim to change home to school travel patterns, reduce car travel, reduce congestion and improve road safety conditions and pupil safety within the school grounds. The Pupil Travel Plan and Car Park Management Plan include ongoing commitments to monitor parking demands and further action may be necessary if the aims are not realised.
- 5.89 The comments of WSCC are acknowledged and that no objection is raised as the impacts on parking are not considered to be severe. The overall aims of the Travel Plan and Car Park Management Plan documents are also noted. However, your officers have reservations that there is no additional capacity on site and there is little capacity in the surrounding streets to absorb any overflow demands. In addition, the full aspirations of the plans may not be achievable and difficult to introduce and implement in practice.
- 5.90 In these circumstances and given the restricted layout of the site and the character of the surrounding highway network, particularly in terms of volumes of traffic and lack of available on-street parking spaces, the car parking arrangements to service the high level of car use would need to be actively managed to ensure that they work effectively and safely, especially as there is no spare capacity either on-site or on-street.
- 5.91 The concerns about staff parking and the Staff Travel Plan have been set out in paragraphs 5.56 to 5.69 above.
- 5.92 With regard to parent parking, it is clear that the capacity of the car parks is reliant on a robust turnover for the use of the spaces, with precise dwell times set out. For the front area this requires the turnover for morning drop off in the access route to be maintained at 1 drop per 1½ minutes. This has been queried and the school has confirmed these figures and advised that this stems from the actual turnover surveyed in the morning at the existing site and that this is expected to be

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maintained. They state that the use of the car parks will be actively managed to ensure the strategy is being followed.

- 5.93 In this regard the management scheme indicates that a significant number of staff, acting as marshals would be required to manage the use of the car parks. In the mornings the front car park would be supervised by 5 members of staff/volunteers and the rear by 2 staff. In the afternoon the front car park would be supervised by 3 members of staff. The management measures include ensuring that the precise turnover rates are maintained to ensure the efficient flow of vehicles, that pupils get out of the vehicles quickly, that parents park in the appropriate car park area for their children's ages, and not in the access or surrounding streets, cones and barriers are in place to define routes and removed afterwards, and aisles are kept free for circulation manoeuvres. All parents are to be made aware of the measures and the document states that parents will not be able to stay parked in the car park in excess of the time periods specified.
- 5.94 WSCC have commented that *'some aspects of the Car Park Management Plan are quite idealistic (for example the enforcing of the regular turnover of spaces) and in reality may not occur exactly as set out'*. The Car Park Management Plan *'also indicates a number of staff being required to manage the car park. Again, in reality, this may not always be possible.'*
- 5.95 With regard to the revised Car Park Management Plan WSCC Highways comment that *'this approach does rely on the school enforcing the permits and parents not turning up early. Previous versions of the car parking management plan have though included quite precise waiting times for parents during the PM pick up period. These times have been based on the observed waiting times and actual car park operation. The permit system effectively formalises the waiting times. The operation of the car park management plan would potentially need to be reviewed alongside the pupil travel plan to ensure it is operating appropriately'*.
- 5.96 It is considered that this high level of supervision and detailed measures are indicative of the problems that would be involved in managing such a high level of car demand on this restricted site in this densely developed area. The car parking arrangements should really be self-regulatory in terms of provision of the correct numbers of spaces to meet the demand and the associated layout for car and pedestrians. Any additional supervision required should be at a minimal level or provided on an occasional basis at times of very high demand. These intensive arrangements would be needed twice daily. However, it is appreciated that generally the operation of a car park is essentially a matter for the occupier of site, and the very detailed arrangements as set out in this application in terms of evolving modal choice, actual and projected flows to the site and the precise turnover of spaces, would appear to indicate that the numbers of parking spaces are sufficient, such that WSCC advise that the impact of the school use would be not be severe and so no longer recommend a refusal. The car park management plan can be secured by a condition.
- 5.97 Officers have been concerned that these arrangements, especially the timings for the turnover of the limited number of spaces (a maximum of 35 kiss and drop spaces in the morning, or 39 spaces parent spaces in the afternoons to serve a school of 1020 pupils), have such a small margin that if the school is not able to control the parking arrangements to the precise level of detail that they propose, then arising from the lack of spare capacity on the school site itself and in the surrounding streets and with the significant demand for parking, this could give rise to significant issues in the locality in terms of on street parking and the free flow of traffic, and ultimately an associated adverse impact on the operation of Manor Royal. This issue has been put to the school and they have been asked to clarify what mitigation measures could be brought into effect, particularly when all car parks are full and additional cars are arriving. The reply was that *'the management of the on-site parking will be such that marshals will keep the aisles free for circulation manoeuvres. Even in the case of the car parks being full, vehicles will be able to circulate in the car park and exit.'* The response is noted but it does not completely tackle the impact on the wider area from the flow of traffic to/from a full car park and where those parents would park if none are available on the site itself. This lack of capacity issue is unlike any other school in Crawley as there is not a readily available supply of safe and convenient parking spaces in the vicinity that could be used as an overflow measure or for 'park and stride'.
- 5.98 However, WSCC have concluded that they have no objections on highway grounds and it is acknowledged that the school has, over the time that it has been operating, introduced and revised

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a number of specific and detailed measures to control and manage parking in response to ongoing CBC concerns over this issue, and which can be secured and controlled as part of the s106 legal agreement and conditions. In these circumstances, it is not considered that there is not much more that the school could be asked to do in this regard, given this location and the parking conditions in the locality and the scale of the school and its facilities at the level proposed. This issue must then be judged as part of the overall planning balance.

## *Other traffic and parking measures*

- 5.99 The applicants have also suggested that parking restrictions be introduced in the vicinity of the site. This would comprise 'school keep clear' markings and double yellow lines at the Tinsley Lane North access point, double yellow lines at the access points on Wheatstone Close, with the northern access being widened to allow for 2 way flow and associated signage, and double yellow lines at the junction of Tinsley Lane North and Wheatstone Close, and at the junction of Tinsley Lane North and Cobham Way. This would result in the loss of 12 on-street spaces, although some existing parking occurs on corners where vehicles should not park and if these are included the actual number of the spaces lost would be 17. This would have to be the subject of separate procedures via a Traffic Regulation Order (TRO), which would need to follow its own statutory consultation procedures and is a function of WSCC as highway authority. The outcome of such a process is unknown at this stage and cannot be guaranteed. Also, whilst it could improve the environmental situation in terms of volumes of on-street parking and keeping accesses and junctions clear, it would not provide any specific on-street spaces or allocated capacity for school users. Indeed it would reduce the amount of on-street parking used by workers and visitors to the surrounding businesses and may well lead to objections to the TRO process.
- 5.100 If the school were to proceed with these measures then a provision within a s106 agreement would be required for the applicant to fund the process to cover the cost of advertising, making and implementing the traffic regulation order as appropriate.
- 5.101 To conclude on sustainability and highway safety/access/parking considerations, over the time that the school has been operating and especially during the course of the consideration of this application, there have been amendments and revisions, plus negotiations that have resolved , or improved a number of the issues that were identified. Whilst the concerns over the unsustainable location for a school are not able to be resolved by this application, these issues must be weighed against the wider benefits of the proposal. These include the improvements and amendments that have been secured, particularly in terms of parking arrangements and modal shift, as well as the provision of a significant number of school places and the relative weight to be assigned to these factors in the overall planning balance.

## The operational needs of the development

- 5.102 The site has an area of 1.2 ha with the former offices having a building footprint of 6400 sqm with an existing 185 spaces for car parking. The previous employment (office) use of the land operated with these buildings, the associated access and car parking arrangements, which for an office use in this location was satisfactory.
- 5.103 The school's needs are different to the previous employment use and the characteristic of a good development is that it can satisfactorily incorporate and accommodate the operational needs of that particular user. In particular, schools have specific access and parking requirements for pupils, parents, staff and deliveries, as assessed above and additionally need to provide suitable outdoor space and provide for play and sports activities.
- 5.104 At the front of the site there is an existing small play area for the reception year classes. This application also proposes additional play and sports facilities. To the rear, part of the existing car parking area would be redeveloped to provide a MUGA and the erection of the new sports hall. The remainder would be a hard surfaced play area including courts. This area would also be used for kiss and drop off in the mornings. A small primary play area for years 1 and 2 is to be provided to the side between the building and the pavement along Wheatstone Close. Other than these play/sports provisions on site, the school would also continue to use the 3G facilities at Maidenbower on specific occasions (such as sports days) and K2 for primary swimming lessons.

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- 5.105 In respect to the play facilities, the Design and Access statement outlines that the site has been assessed against the Department for Education/Education Funding Agency guidelines set out in 'Building Bulletin 103 - Area Guidelines for Mainstream Schools' (June 2014). This advises that *'in line with policies which seek to increase choice and opportunity in state funded education, these guidelines will not necessarily have to be met in every case and should always be applied flexibility in light of the particular circumstances.'*
- 5.106 In respect of the Gatwick School these guidelines for a gross site area for an all-through school for 1020 pupils would be from 4.4ha to 5.5ha, however without the soft play PE requirements of 3.5ha, the site range is 0.9ha to 2.0 ha. The applicants state that the site, having an area of 1.2ha is within that latter range, as soft PE requirements are to be provided off site.
- 5.107 The hard outdoor PE area recommended for a 1020 place all through school is 1530 sqm. The three hard playgrounds and MUGA totals 2759 sqm, which meets the guidelines.
- 5.108 These outdoor facilities comprise a protected play area for Reception classes and another for years 1 & 2. The school has advised that remaining primary pupils (years 3 – 6) and secondary pupils would use the rear of the site and the MUGA at break and lunch times. Break and lunch times would be staggered to accommodate different year groups and no PE lessons would take place on the MUGA during break times. Benches for informal social use would also be available in this rear area. In response to Officers queries about where these would be placed within this area as it also incorporates 2 hard courts and would allow kiss and drop off in the mornings, the school has replied that the benches would be moveable and therefore to allow the car park to operate when required.
- 5.109 With regard to the proposed play area for years 1 and 2, this is to be positioned between the side of the building and Wheatstone Close and is a long narrow piece of land, measuring 37 m long by 7.2m wide at its maximum, narrowing down to 3m wide. This part of the site is currently a sloped grassed bank with trees and the proposals would involve the raising of the land levels here to make a flat site with a 1.8m retaining wall and weldmesh fence. The increase in levels would mean that the top of the wall/fence would be some 3m above the existing pavement level. A hedge would be positioned between the wall/fence and the pavement. The existing trees would be removed and replanted elsewhere on the school site. The area would also have to accommodate an existing green utilities cabinet for gas equipment that is to be relocated.
- 5.110 The applicants also state that *'the lack of other informal external social spaces can be compensated by the fact that there are 2 main halls within the building which have multipurpose uses between their formal curriculum requirements, and can therefore be used for 'social forums' to supplement external play areas.'* Furthermore the applicant comments that *'it is not unusual for Free Schools to occupy buildings and sites which cannot comply with the full range of indoor and outdoor facilities under current government guidance without the aid of off-site facilities. ...the buildings, with the addition of the new sports hall, provide the full range of internal facilities required to a 1020 place all-through school and with the ability to have off-site soft PE, a range of external facilities can be provide to meet current guidelines'*.
- 5.111 These comments are noted, but the lack of informal outside play/permanent seating areas is of concern and the fact that some PE lessons would still need to be provided off-site, adds to the unsatisfactory nature of the scheme. It is a further indication of the mismatch between the scale of the development proposed and the physical site area and its characteristics. Whilst a sports hall is proposed, which would provide for some PE lessons, this would then take up space on the site that could either be set to outside play (formal or informal), or be landscaped grounds or to be retained as a hard surface to provide parking. In addition, the on-site facilities would still need to be supplemented by off- site arrangements, including the hiring of grass pitches for football and rugby.
- 5.112 The PE lessons that would take place off site would need to be serviced by coaches/minibuses to take the pupils to those locations. There is no specific on-site coach/bus provision proposals, such as a bus lane or designated bay, but the submitted details state that coaches would wait in the internal access road at the front of the site. This would need to occur outside of the start and end of the school day, as at those times the access and adjacent parking spaces would be in full use by

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parents dropping off and collecting their children. All timing arrangements would therefore need to be precisely organised as there is no scope to park in the nearby streets without obstruction of the carriageway.

- 5.113 The Recycling and Refuse officer has commented on the collection arrangements which show the refuse vehicle at the front of the building. There is concern that this is too far from the bin store building and the applicant has been asked whether this can be relocated or access is made available to the rear of the site. These requirements can be secured by a condition.
- 5.114 Whilst the scale of the development has not been reduced from the original proposals and there is concern about the scope of the site to satisfactorily accommodate all the various facilities in a suitable manner, it is acknowledged that overall the amount of PE and play facilities would meet the guidelines and this concern has to be set against the wider benefits of the provision of school places that arise from this application.

## Design/appearance of the alterations and new works

- 5.115 The external alterations to the property comprise new windows and glazing together with recladding of the walls. The proposed materials would be polyester powder coated (ppc) aluminium insulated panels with continuous ppc aluminium ribbon window units. The Design and Access Statement advises that the Free School's vision is for the building to have a 'Business and Enterprise' aesthetic, as opposed to a more traditional school building appearance. The cladding panels would match the school's 'Branding Colours' which are three grades of blue/grey.
- 5.116 At roof level, the originally sloped glazed parapet panels are to be replaced with a coloured roof membrane to provide a termination to the roof line. The entrances to the former offices would become pupil entrances for the primary and secondary age groups and would utilise full height glazed curtain walling.
- 5.117 The main entrance to the school would be located in a central position on the front elevation, in the interconnecting building between the 2 main buildings. The existing solid panels would be removed and replaced with full height glazing to the north (front) elevation and a combination of glazing and panels to the south façade. At the front a staircase is also to be relocated to give ease of access to the first floor facilities from reception and a curved screen of semi-opaque polycarbonate will wrap around this with the school name and logo applied to highlight that this central section of the building is the main entrance.
- 5.118 A new sports hall building on the site is proposed to be situated to the rear, in the existing car park area, adjacent to the southern boundary with the commercial properties in Sterling Park. The design is revised from the previous application when it had an exposed structure and now the form would follow that of the existing buildings with the same coloured panels to match the main school building, but with a curved roof structure. It would provide courts, 2 stores and a lobby, all at ground floor level. Changing facilities would be in the main building.
- 5.119 It is considered that the visual appearance of the scheme is acceptable, and would provide an improvement over that of the current condition of the building.

## Quality of the environment for the school – noise and air quality

- 5.120 The site lies in an existing industrial/commercial area, which is subject to noise from surrounding uses, the existing roads and aircraft from Gatwick Airport. The predicted 66dB contour for a potential future southern runway runs along the southern boundary of the site and the predicted 69dB contour runs just north of Tinsley Lane on the northern boundary of the site. The eastern end of the proposed southern runway would terminate on what is now James Watt Way, which is only about 350m to the north of this site. The contours are the published contours by the CAA (ERCD0308) and are the accepted contours for the proposed wide-spaced southern runway. Even though the proposed runway has not been agreed, it has been accepted by the Planning Inspectorate in recent appeal decisions to assume it is likely to go ahead when considering sound insulation for new noise sensitive premises and policy ENV11 applies. This position has been endorsed by GAL Planning.



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- 5.121 It should be noted that in considering the Forge Wood development, the school element of that neighbourhood was considered acceptable. That location was within a lower noise contour and the scheme is subject to safeguards and specific design features to provide for a suitable noise environment for the pupils. It is considered that for consistency the same approach should be followed with this scheme and that, due to the noise environment, suitable noise mitigation measures are required.
- 5.122 This issue has been the subject of lengthy debate between officers and GAL and with the school. The current position is that the school is now offering to install various measures including insulation to the walls and roofs to mitigate against current road and future aircraft noise. The details of this can be secured by condition / S106.
- 5.123 The Environmental Health Officer has assessed the latest noise reports and comments as follows: *“The reference levels for the teaching areas for schools are set down in the Acoustic Design of Schools: performance standards (Building Bulletin 93). As to be expected in this location the predicted noise levels are very high and the report splits the buildings into three zones, coloured depending on the level of insulation required to deal with the levels of noise. It should be noted that the buildings are all air-conditioned which will deal with the effects of summer warming and therefore openable windows are not required. Appendix E from the report show the calculations that the proposed sound reduction of the recommended façade and roof refurbishment will achieve the internal noise levels specified in BB93, including the proposed sports hall and I accept those calculations.”*
- 5.124 He recommends that the insulation details supplied in the Hoare Lee Noise Report – Revision 1 (17.05.2019) are implemented in full. Also a post completion condition should be included to ensure the works are completed satisfactorily.
- 5.125 He also comments that about the MUGA adjacent to the sports hall. He states that this will be unprotected and will experience high levels of noise (70dB LAeq, 30min.) from the proposed wide-spaced southern runway at Gatwick. The levels of noise experienced would dramatically interfere with any team games due to the inability to communicate effectively. Players would be unable to hear other team members and also the referee. He recommends that the external MUGA should only be used until such time that the wide-spaced southern runway has become operational. Thereafter an alternative sports field facility should be used or the existing facility adequately enclosed.
- 5.126 However, whilst the previous version of BB93 stated that playgrounds, sports fields and other outdoor areas should not exceed 55dB LAeq, 30min., it should be noted that the latest revision of BB93 no longer includes a noise standard for such facilities. In these circumstances, it is not considered reasonable to impose such a restriction.
- 5.127 In terms of air quality the assessment found that the existing or predicted levels were within air quality objectives from road traffic sources, or VOCs. Measures are recommended to mitigate the impact of dust during the construction phase. The approval of the school on a permanent basis would introduce a sensitive use into an employment area, which could impact on new businesses in the future. These aspects would be controlled under other legislation.

## Future uses of the site and impact on economic role and function of Manor Royal

- 5.128 Development Plan policies whilst allowing for changes away from B class uses in Manor Royal in appropriate circumstances, seek to ensure that future uses and development of sites and the wider area in the longer term is not prejudiced by any current proposals.
- 5.129 In this regard there has been concern that the proposals not only include a change of use of the building, but also that there is a large element of new build. The erection of the sports hall building would take up land currently laid out as a car park, which would affect any potential future reuse of the building for office or other B1 purposes, as the level of car parking would be significantly reduced.

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- 5.130 At the time of the refused application in 2015 it was also considered that the issues arising from the scale of the proposal and the associated traffic and parking demand with limited on-site parking provision would have unsatisfactory knock-on effects in the wider area, in terms of traffic congestion at peak periods and exacerbating the already difficult on-street parking situation, in a locality which is already at capacity. There was concern that this would lead to an adverse impact on the economic role and function of Manor Royal as a Main Employment Area and the wider economic function of Crawley. Whilst uses other than B class uses are allowed for by the policies, they need to be of a scale and function that enhances this established role and must not undermine the business district.
- 5.131 Whilst these concerns remain, at the time of writing this report there is little evidence to suggest that there is a significant problem in Manor Royal arising from the operation of the school. There have been a number of planning consultations and planning site notices displayed over this time that the school has been open and it is noted that no objections from local businesses have been received.
- 5.132 The agent acting for the applicant has commented that the school provides employment, and there are benefits from having a school within Manor Royal, including links with businesses and the provision of facilities that can be used by the wider community. Reference is also made to the recent changes to planning legislation which allows for a more flexible use of commercial premises. They are of the view that there is therefore a clear intent within Government for existing office stock to be used for a wide range of alternative purposes. They consider that this application for the school application should be viewed in this context of recent Government announcements to enable greater flexibility in the types of uses and their permitted locations.
- 5.133 It is considered that these arguments put forward by the applicant do have some merit and in the specific circumstances whereby the school has been in operation since 2015, officers are of the view that these concerns are no longer such that they could currently justify a reason for refusal. As such the scheme is not considered to be contrary to Local Plan policies EC1, EC2 and EC3 in this regard.

## Impact on trees and landscaping

- 5.134 There are 8 oak and 4 sweet chestnut trees at the front of the site along the boundary with Tinsley Lane North and Gatwick Road that are the subject of a Tree Preservation Order. There are other trees and shrubs around the boundaries of the site
- 5.135 Two pedestrian access points are to be created from the site frontage to lead to dedicated pedestrian access routes to the main entrance and the secondary school entrance. This would be across areas of existing landscaping however the preserved oak trees would be unaffected as tree protection measures including no dig construction methods are proposed in the application submission. Some areas of hedging and shrub planting will need to be removed to facilitate these routes, but this is considered to be acceptable and additional shrub and ground cover planting is proposed as part of the overall landscaping proposals. The four preserved sweet chestnut trees along the frontage are to be removed to facilitate the provision of additional parking spaces. Whilst the loss of this group of trees is unfortunate, two semi- mature individual tree specimens are to be planted as a replacements.
- 5.136 A number of other trees around the site would also need to be removed to facilitate the development. Overall 17 specimens would be lost across the site, including a group of 9 fruit (pear) trees to the rear of the site. In accordance with policy CH6 and the Green Infrastructure SPD, this would lead to a requirement for 37 replacement trees. The full details of the replacements to be provided on the site would be specified in the landscaping scheme and the remainder can be secured by an appropriate contribution towards off- site planting. The s106 agreement can include the formula to cover this aspect.
- 5.137 Other trees along the eastern boundary with Wheatstone Close are to be relocated as currently they are positioned where the proposed play area for years 1 and 2 is to be provided.

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- 5.138 The Arboricultural Officer has considered the proposals including the tree protection measures, tree replacements and relocations and has no objections to the scheme, subject to a condition that the development is carried out in accordance with the Tree Protection Plan & Landscaping Plan.

## Energy efficiency and environmental sustainability

- 5.139 Local Plan Policies ENV6, ENV7 and ENV9 are relevant to this application from the perspective of environmental sustainability
- 5.140 Policy ENV6 requires applications involving the creation, change of use, or refurbishment of over 'sustainability objectives' detailed in the policy. In addition the policy requires proposals for new non-domestic buildings to achieve the minimum standards for BREEAM 'excellent' within the water and energy issue categories.
- 5.141 Policy ENV7 requires applications for major development to detail within their Sustainability Statement their consideration of, and response to, of a range of options for communal or decentralised energy which are set out in the policy. Where the development does not propose to incorporate any of these options this should be justified on a case-by-case basis, and alternative means of achieving an advanced level of performance in terms of carbon/energy efficiency should be incorporated.
- 5.142 Policy ENV9 requires that non-residential development should, where feasible and viable, achieve the minimum standards for BREEAM 'excellent' within the water issue category.
- 5.143 One issue relevant to the proposal is the application of the BREEAM requirements set out in policies ENV6 and ENV9 and how the development and in particular the proposed sports hall is assessed in relation to the requirement for 'new buildings' to meet specified BREEAM standards. It is appreciated that this is complex in this case: the proposed development is a school which will consist partly of existing refurbished and partly of new buildings. Moreover the 'sports hall' function will effectively be split between the existing and the new building, with changing/washing facilities being provided in the existing building, while an indoor sports hall and equipment storage are supplied by the new structure, which will it seems be heated but have no water supply.
- 5.144 The Energy and Sustainability officer comments that the submitted energy document indicates that the proposed building performs well in terms of reducing heating and cooling demand over and above Building Regulations, achieving a percentage improvement of 41.2%. On the other hand improvements over Building Regulations requirements in terms of primary energy consumption and CO<sub>2</sub> emissions are negligible (1% and 4%). These specific areas of lower performance could be addressed if the scheme was able to incorporate some form of low or zero carbon energy source (e.g. solar PV) and it is recommended that a bespoke condition is applied seeking further assurance that potential for the use of low/zero carbon technology has been fully explored, and that any measures which are feasible and viable have been incorporated into the design of the new build sports hall.
- 5.145 Given that the changing/washing facilities for the new sports hall are shown to be installed in the existing school building, the relevant BREEAM requirement in respect of water efficiency arising from Policy ENV9 can be applied by addition of an appropriate condition and informative.
- 5.146 In terms of decentralised energy, this issue is separate from the question of the BREEAM requirements, and reflects the scale of the proposed development as well as its presence within an identified priority area for the delivery of a District Heat Network. Para. 6.37 of the submitted Planning Statement states that the site can be 'network ready' for the purposes of policy ENV7, and that given there is currently no district heat network in place in the locality this approach is supported and a condition is recommended.

## Contaminated Land

- 5.147 The Contaminated Land officer comments that due to the industrial history of the site and its surrounding area, a condition is required to deal with the contamination of the land and/or ground water. This would require a detailed site investigation, a remediation statement and post remediation verification testing and report.

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## Drainage

- 5.148 The application has been accompanied by a Flood Risk Assessment and Drainage Strategy. The site falls in flood zone 1, which is land at low risk of flooding, although there are known instances of flooding in the car park and local area. The development proposals are to refurbish the two former office block internally and externally, plus alterations to the outside areas to form hard surface play areas, the construction of the sports hall and remodelling of the car park areas.
- 5.149 It is proposed to continue the discharge of surface water runoff to the existing public surface water sewer but with the refurbishment of the existing surface water network within the site and the use of below ground SuDS. Thus all runoff would be managed below ground in pipework and attenuation tanks. Three tanks would be placed beneath the car park areas - two to the front and one to the rear of the site. This would enable runoff to be contained within the site boundary and so surface water would not flow to surrounding highways or neighbouring properties.
- 5.150 Drainage maintenance and management is to be the responsibility of the school's management team and a SuDS maintenance and inspection schedule has been submitted as part of the drainage details.
- 5.151 The Drainage Officer is of the view that this approach is well considered and has no objections.

## Manor Royal Contribution

- 5.152 Any net additional floorspace associated with an application is liable to the Manor Royal S106 contribution, which is used towards public realm improvements in the business district. This is charged at a rate of £2 per square metre of floorspace, subject to identification of one or more appropriate projects. In this case the additional floorspace is 989 sqm and comprises the erection of an extension to house a new staircase and the erection of the sports hall building.

## S106 requirements

- 5.153 Policy IN1 requires infrastructure contributions/provision to meet and address the justifiable needs created by new development and to mitigate any significant effects arising from the development. In this case a s106 Agreement would be required in order to secure the following items:
- Pedestrian crossing on Gatwick Road
  - Traffic markings outside entrances and in vicinity of the site
  - Wheatstone Close access works
  - Fleming Road roundabout - monitoring and bus lane works
  - Bus subsidy - £ 28,000 pa for 3 years
  - Travel Plans – pupils and staff - including securing of offsite staff parking at The Greyhound Pub and Copthorne Golf Club; and the operation of the staggered timetable
  - Noise mitigation works including installation of noise insulation
  - Community use of the school and sports facilities outside of school hours
  - Tree contribution
  - Manor Royal Contribution - £1978

## CONCLUSIONS:-

- 6.1 Development Plan policies support the provision of new educational facilities and there is a need for additional school places in the town. National policy also has a strong presumption in favour of free schools. However, such provision needs to be in the right place, in a sustainable location and the scale and level of use of the proposal needs to be satisfactory and relate to the character of its surroundings and address the policies of the Development Plan.
- 6.2 Given the previous refusal in 2015, it is also necessary to examine whether any revisions to the application have been made or if any change in circumstances are such that those refusal reasons have been addressed or no longer apply. In addition, the benefits of a significant number of school places are a material consideration that has to be assigned appropriate weight in the overall planning balance of the various issues.

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- 6.3 In this case, in terms of issues that have not changed or not been addressed, officers consider that it is the scale of the school in this location remains a concern. The site is within Manor Royal, which is a main employment area, and not a residential neighbourhood. It is a location where employment/business uses are encouraged. Other uses may be acceptable in such areas, provided they do not have an adverse impact on the economic function of that area. The concerns about this being an unsustainable location for a school of this scale remain.
- 6.4 The overall scale of the proposal has not fundamentally changed as it is still for an all-through establishment of 1020 pupils, with the conversion of all the buildings and the erection of a sports hall. Whilst the traffic data and modelling has been updated and a limited reduction in car travel has been achieved, it is still the case that the scheme would generate a significant level of traffic from pupils and staff travelling to and from the site and given its location in a commercial area, the majority of these would be car borne, which conflicts with the principles of sustainable development. The locality experiences high levels of traffic on the surrounding road network and there is high parking demand in the locality from existing users and occupiers, with very little capacity to absorb additional on-street parking from staff or parents. The school drop off and collection arrangements are highly dependent on a complex parking regime requiring intense day to day management by the school. The continued concerns over staff parking have been addressed to a certain extent, with the use of additional parking facilities elsewhere in the locality.
- 6.5 However, these negative aspects have to be balanced against the positive benefits of the proposal and the amendments to the scheme that have been achieved through the continued and extensive negotiations that have taken place between officers and the school and their agents.
- 6.6 In this regard the provision of school places in the borough is a significant factor and full regard has to be given to the Government policy set out in the NPPF and the DCLG Policy Statement which requires significant weight to be given to the establishment and development of state funded schools.
- 6.7 A further consideration is that the school is currently operating and the implications for existing pupils and those due to attend the school in the future has to be taken into account, should the application be refused, especially given the limited options for other pupil places to be provided at alternative locations.
- 6.8 An added benefit is the reuse of a vacant building and the associated jobs that the school use brings to the locality, plus the links to the business community that have been created and the potential for dual (community) use of the school and sports facilities.
- 6.9 In addition, during the course of the application, the proposals have been refined and a number of amendments have been realised to address or mitigate previous concerns. These include revisions to the access and parking arrangements, updated and more robust travel plans for both pupils and staff, such that the modal split since the school began operating has improved with increases in walking and use of public transport. In addition, a more detailed car park management plan has been developed to address concerns about the operation of the car park and which reflects the revised school timetable introduced in autumn 2019. Furthermore, additional staff parking facilities in the vicinity of the site are now being provided.
- 6.10 As well as conditions to control various aspects of the development the s106 agreement would secure a number of essential mitigation elements including highway improvements, in particular a pedestrian crossing on Gatwick Road; a contribution would go towards an additional bus service; the community use of the facilities including the sports hall and MUGA and finally; the mitigation works for road and aircraft noise.
- 6.11 Whilst there are aspects of this scheme that have not been resolved, including the conflict with the principles of sustainable development, it is necessary to weigh the social, environmental and economic impact and benefits of the proposal to come to a conclusion of this planning application. Overall and most importantly the proposal would provide for a significant number of school places. It is thus considered on balance that the benefits of the scheme outweigh the adverse impacts identified in this report.

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- 6.12 It is therefore recommended that the scheme is granted planning permission subject to conditions and the completion of the s106 legal agreement.

## **RECOMMENDATION RE: CR/2018/0172/FUL**

**PERMIT** – subject to the completion of a section 106 agreement to secure the elements set out in paragraph 5.153 of this report and the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The school hereby permitted shall operate with a maximum number 1020 pupils, comprising 420 primary pupils and 600 secondary pupils, as set out in the application.  
REASON: To control the operation of the school in the interests of sustainable development, highway safety, the character and function of Manor Royal as a main employment area, and to provide for a suitable level of development for the site, in accordance with policies SD1, CH3, EC1, EC3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.
4. No above ground 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. The development shall be implemented in accordance with the agreed details.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No development approved by this permission shall commence until a scheme to deal with the contamination of the land and/or ground water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all the following measures, unless the LPA dispenses with any such requirement specifically and in writing:
  1. A Desk Study (including Conceptual Model of potential pollutant linkages) carried out by a competent person. The study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. Two full copies of the desk-top study and the non-technical summary shall be submitted to the LPA,  
  
and the following stages where required:
    2. A Detailed Site Investigation. This shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology BS 10175:2011. The site investigation should fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications, including an assessment of risk to any potential receptors. A full report on the findings of the site investigation shall be submitted to the LPA.
    3. Remediation. A written remediation statement, detailing the works necessary so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including any controlled waters, shall be submitted to the LPA and agreed in writing with the LPA prior to any remediation commencing on site. Two copies of the remediation report shall be submitted to the LPA.
    4. Post Remediation Verification Testing and Report. The approved remediation works shall be carried out in full on site, under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the remediation works contamination is

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encountered that had not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA in accordance with the process laid out at points 1 – 3 above.

5. Upon completion of the remediation works, this condition shall not be discharged until a further validation report has been submitted to, and approved by the LPA. The validation report shall include quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site.

The development shall not commence until the measures approved in the scheme have been implemented.

REASON: To safeguard occupiers of the site in accordance with Policy ENV10 of the Crawley Borough Local Plan 2015 - 2030.

6. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- details of the area(s) subject to construction activity,
- details of cranes and other tall construction equipment (including details of obstacle lighting)
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the height and areas for the storage of plant, equipment and materials used in construction of the development,
- details of temporary lighting
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.
- details of a dust and smoke management plan
- control and disposal of putrescible waste to prevent attraction of birds
- site restoration
- protection and mitigation measures for wildlife and habitat

REASON: In the interests of highway safety, the amenities of the area, to ensure that the development does not endanger the safe movements of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids & surveillance equipment and to accord with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

7. No on-site preparation works or development related to this planning permission shall take place until the approved details as set out on the Tree Retention and Protection Plan LLD1253-ARB-D02 rev 05 including the tree protection measures have been implemented in full. The development shall be implemented in accordance with the approved details and the tree protection measures shall thereafter be retained in accordance with the approved details throughout the construction period until the development is completed.

REASON: To ensure the retention and maintenance of trees important to the visual amenity and the environment of the development in accordance with Policy CH3 of Crawley Borough Local Plan 2015-2030 and the Green Infrastructure Supplementary Planning Document.

8. No above ground development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained, together with measures for their protection in the course of development; details of new specimens to be planted and details of the boundary treatments. The scheme shall be implemented in accordance with the approved details.

REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

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9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
10. The development hereby permitted shall be implemented in accordance with the drainage scheme details submitted with the application including the use of below ground SuDS comprising surface water attenuation tanks. The implemented drainage scheme shall be thereafter retained to serve the development and shall be inspected, maintained and managed in accordance with the submitted details.  
REASON: To ensure the site is satisfactorily drained and to reduce the risk of flooding elsewhere in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015 - 2030.
11. Prior to the full occupation of the school, the vehicle parking and turning spaces shall be constructed and provided in accordance with the approved plans. These spaces shall thereafter only be used and retained for their designated use.  
REASON: To provide adequate on-site parking and turning space for the development in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.
12. Prior to the full occupation of the school, cycle parking facilities shall be provided in accordance with details that have been submitted to and approved by the Local Planning Authority. These facilities shall thereafter be retained for their designated use.  
REASON: To provide alternative travel options to the use of the car in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.
13. The provisions of the Car Park Management Plan (December 2020) shall be implemented and operated as approved for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure the safe operation of the car park and in the interests of highway safety, in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 - 2030
14. Prior to the full occupation of the school, the proposed external play areas as shown on the Landscape Masterplan drawing number LLD1253-LAN-DWG-010 rev 09 shall be implemented, surfaced and fenced in accordance with details to be submitted to and approved by the Local Planning Authority. The facilities shall be thereafter retained and used for this purpose.  
REASON: To meet the operational needs of the school, to provide a suitable layout, to ensure the site is suitably drained and in the interests of visual amenity, in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 - 2030
15. Prior to the full occupation of the school the facilities for refuse and recycling bin storage and the access and collection arrangements shall be provided in accordance with plans and details that have been submitted to and approved by the Local Planning Authority. The facilities shall subsequently be maintained and be retained to serve the development  
REASON: To ensure the operational requirements of the site are met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
16. The sports hall shall not be brought into use until there has been submitted to and approved in writing by the Local Planning Authority a report assessing the technical, environmental and economic feasibility of using high-efficiency alternative energy systems in the construction of the building, and outlining how the development has incorporated any appropriate technologies. The development shall be implemented in accordance with the approved details.  
REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of Crawley Borough Local Plan 2015-2030.



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17. Prior to the installation of new showers, sinks, toilets and other water consuming components within the development, details of their water consumption levels shall be submitted to and approved in writing by the Local Planning Authority. The components shall subsequently be installed in accordance with the approved details.  
REASON: To help address water stress in Crawley in the interests of sustainability and in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030.

18. No development shall take place unless and until details of the provisions to be made within the scheme design to enable the development to be 'network ready' in the event that a District Energy Network is delivered in the vicinity have been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of climate change mitigation in accordance with policy ENV7 of the Crawley Borough Local Plan 2015-2030.

## INFORMATIVE(S)

1. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com). The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)
2. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

3. The report required by condition 16 of this consent may, for the purpose of assessing alternative energy systems, incorporate the analysis which is required to be carried out by Regulation 25A of Part L of the Building Regulations.
4. The applicant is advised that the Local Planning Authority considers that the details submitted to comply with condition 17 of this consent should, where feasible, demonstrate that the water consumption levels of new components fitted within the building should achieve the performance levels under column 3 of the following table:  
[http://www.breeam.com/ndrefurb2014manual/content/08\\_water/wat01\\_rfrb.htm#Water\\_efficient\\_consumption\\_levels\\_by\\_component\\_type](http://www.breeam.com/ndrefurb2014manual/content/08_water/wat01_rfrb.htm#Water_efficient_consumption_levels_by_component_type)

1. NPPF Statement

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

- Providing advice in a timely and manner through pre-application discussions/correspondence.

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

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

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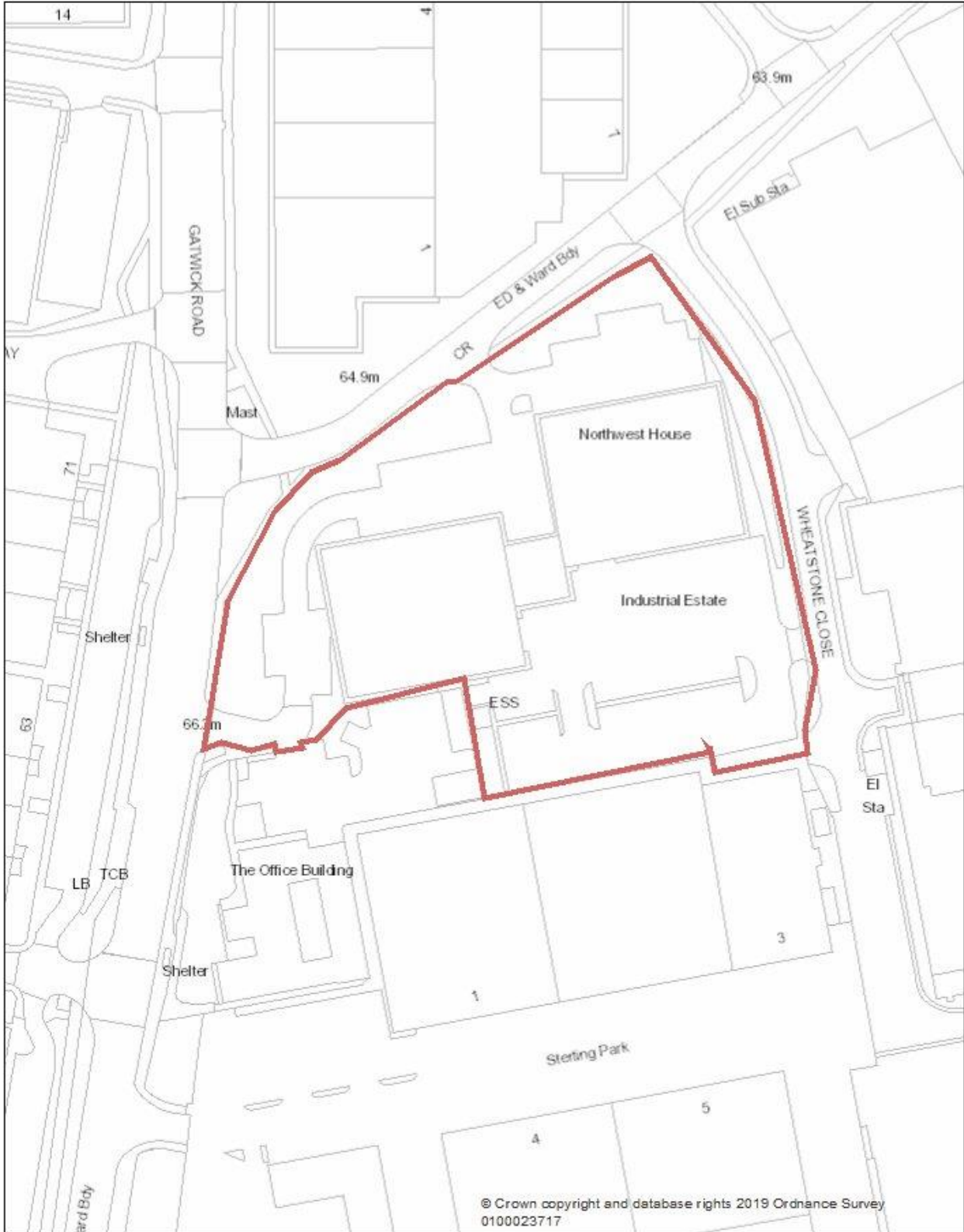


## ArcGIS Web Map



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

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# Agenda Item 6

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 8 February 2021  
REPORT NO: PES/359(b)

REFERENCE NO: CR/2020/0037/FUL

**LOCATION:** [LAND PARCEL RUSSELL WAY \(FORMER TSB SITE\), THREE BRIDGES, CRAWLEY](#)  
**WARD:** Three Bridges  
**PROPOSAL:** ERECTION OF L SHAPED 4 STOREY BUILDING COMPRISING 59 X FLATS WITH ASSOCIATED LANDSCAPING, REFUSE AND CYCLE STORAGE, INFRASTRUCTURE WORKS AND PARKING COURT AT THE REAR (AMENDED PLANS RECEIVED)

**TARGET DECISION DATE:** 13 May 2020

**CASE OFFICER:** Ms D. Angelopoulou

**APPLICANTS NAME:** Bellway Homes Ltd (South London)  
**AGENTS NAME:** Savills

## PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
1989 0005		Site Location Plan
1989 0009	A	Block Plan
1989 0010	U	Ground Floor Plan
1989 0011	R	First Floor Plan
1989 0012	R	Second Floor Plan
1989 0013	N	Third Floor Plan
1989 0014	H	Roofplan
1989 0200	M	North Elevation
1989 0201	G	West Elevation
1989 0202	G	South Elevation
1989 0203	H	East Elevation
1989 0210	G	West Section & Elevation
1989 0211	G	South Section & Elevation
191941 001	B	Initial Levels Plan
2878-LA-01	P2	General Arrangement Plan - Sheet 1
2878-LA-02	P2	General Arrangement Plan - Sheet 2
2878-LA-03	P2	Illustrative Landscape Masterplan
2878-LA-04	P2	General Arrangement Plan - Roof Terrace
2878-PP-01	P2	Detailed Planting Plans - Sheet 1 of 2
2878-PP-02	P2	Detailed Planting Plans - Sheet 2 of 2
2878-PP-03	P2	Planting Plan - Roof Terrace
191941-002	C	Proposed car park layout and vehicle tracking

## CONSULTEE NOTIFICATIONS & RESPONSES:-

- |                               |  |
|-------------------------------|--|
| 1. GAL Aerodrome Safeguarding | No objection subject to a Bird Hazard Management condition and a cranes informative. |
| 2. Network Rail               | No objection subject to informative.   |
| 3. Environment Agency         | No objection; application has a low environmental risk.                              |
| 4. WSCC Highways              | No objection subject to conditions and informative.                                  |

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5. National Air Traffic Services (NATS)	No objection.
6. Thames Water	No objection subject to informative.
7. Sussex Building Control Partnership	No response received.
8. Police	No response received.
9. CBC Drainage Officer	No objection.
10. CBC Housing Enabling & Development Manager	No objection.
11. CBC Planning Arboricultural Officer	No objection.
12. UK Power Networks	No response received.
13. CBC Environment Team	No response received.
14. CBC Contaminated Land	No objection subject to condition.
15. CBC Environmental Health	No objection subject to condition.
16. Crawley Cycle & Walking Forum	No objection to the proposed number of cycle spaces and comments regarding the need of electric bike charging facilities and usability of some racks provided due to manoeuvring space constraints.
17. CBC Refuse & Recycling Team	No objection.
18. Southern Water Ltd	No objection subject to informative.
19. CBC Energy Efficiency & Sustainability	No objection subject to conditions.
20. CBC Urban Design	No objection.
21. Archaeology Officer	No archaeological concerns.
22. Ecology Advisor	No objection subject to condition.
23. WSCC Lead Local Flood Authority	No objection.
24. CBC Housing	No objection.
25. CBC Env Health (AQMA)	No objection subject to condition.
26. CBC Countryside & Open Space	Comments regarding open space and tree mitigation contribution.

## **NEIGHBOUR NOTIFICATIONS:-**

The application was advertised in the local press on 26/02/2020 and site notices were displayed along Russell Way and Burwash Road (rear of the site) on 18/03/2020.

## **RESPONSES RECEIVED:-**

One representation was received from an adjacent occupier on Burwash Road stating that the proposal is now in keeping with the area compared with the previous 11 storey proposed development, and requesting that there are sufficient parking spaces for the 59 units in order not to cause any parking issues within the surrounding area.

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

The application is major development.

## **THE APPLICATION SITE:-**

- 1.1 The application site is a vacant brownfield site of approximately 0.3ha. It is situated on the southern side of Russell Way, which is a short cul-de-sac leading from the "Paymasters General Roundabout" (left in/left out junction) to the west. It was formerly occupied by the TSB Computer Centre (demolished around 2000) with vehicular access at north-western end of the site. The site is generally flat and featureless in the middle, with level changes and some trees along its western, southern and eastern boundaries.
- 1.2 The application site is identified as a key deliverable housing site in the Crawley Borough Local Plan 2015-2030 (Policy H2), with 40 dwellings as an indicative capacity figure. It is also within a Priority Area for District Energy Network as defined by Local Plan Policy ENV7. The Council's mapping records also show that the site is identified as potentially contaminated land and is partially within the railway buffer zone.

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- 1.3 To the east of the site is a public right of way, the Tilgate Drive footpath/cycle path, which runs at the top of a wooded embankment. The path bridges the Crawley to Three Bridges railway line which marks the southern boundary of the site. Tilgate Drive footpath/cycle path is an important feature in the area and is an area of Structural Landscaping as defined by Policy CH7 of Crawley Borough Local Plan 2015-2030. Beyond the railway to the south are two storey houses in Burwash Road. To the west of the site is the former EDF Building, a 4-storey converted office to residential building with habitable windows facing the site. The former EDF building appears to be approximately 1m lower than the application site. To the north of the site is Sutherland House, a 5-storey office building, part of which has been converted to residential (the eastern part).

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 This application seeks planning permission for the erection of an L-shaped four storey building comprising 59 flats with associated landscaping, refuse and cycle storage, infrastructure works and parking court at the rear. The scheme has been amended since the application was submitted, through revisions to the design of the proposal, the layout of the proposed units, the housing mix (by providing 3-bedroom flats), provision of a footway, additional cycle spaces and trees and landscaping, provision of solar panels and drainage of the car park.
- 2.2 The proposed building would be L-shaped, extending along the Russell Way frontage and down the side boundary with the public footpath. It would be set back from Russell Way to the front by between 0.9m and 2.9m due to the bay projections and slightly irregular shape of the plot. To the east, it would be set away approximately 8m-12.5m from the Structural Landscaping/public footpath, which is outside the application site. At its closest point on the north-west corner, the building would be approximately 1.7m from the EDF site boundary. Due to the L-shape of the proposal, there would be a 31.7 metre gap to the western boundary with EDF Building from the eastern part of the building. The overall maximum dimensions of the building would be 49.4m by 51.8m. It would have a flat roof measuring 14.7m in height (maximum height). To the east, due to level changes and the embankment, part of the proposed building would measure 11.1m in height.
- 2.3 The proposal would comprise 23 x 1-bedroom flats, 33 x 2-bedroom flats and 3 x 3-bedroom flats, of which 8 x 1-bedroom flats and 4 x 2-bedroom flats are proposed to be Intermediate Affordable Housing units. Internally there would be three lift/stair cores, all with their own circulation and access from outside. The primary entrances would be located on the ground floor facing Russell Way and on the first floor facing east towards Tilgate Drive. For residents using cycles or cars, there would be two more semi-public entrances located within the courtyard/parking area to the west. The external entrance off Tilgate Drive to the east is proposed to interact with the adjacent footpath, due to the existence of the public right of way and large change in level in this part of the scheme.
- 2.4 The proposal would have a rooftop amenity area, along with private balconies for each unit. The proposal would be brick built in Hamsey Multi Stock brickwork, with some contrasting brick in light cream stock. The balconies, windows and doors would be metal pebble grey (RAL 7032).
- 2.5 Vehicular access to the proposed car park would be provided by the existing vehicular access from Russell Way (western end of the site) via an undercroft of the proposed building. A separate pedestrian access point at Russell Way to the north-east is proposed to serve the development. The car park would provide a total of 40 spaces, 3 of which would be disabled. Motorcycle parking is also proposed at the south-western corner of the car park for the use of residents. Cycle parking areas are proposed for 94 resident cycles and 10 visitor cycles. Two cycle stores for the residents would be within the footprint of the building, utilising a double stack and wall fixed systems, and a third cycle store would be below the undercroft to the north-west secured with the use of a brickwork wall surround and locked door. 5 Sheffield cycle stands would be provided externally at the eastern edge of the site to accommodate a total of 10 visitor bicycles. Two refuse stores are also located within the footprint of the building.
- 2.6 The following documents have been submitted in support of the application:
- Design and Access Statement
  - Daylight & Sunlight Report
  - Flood Risk Statement
  - Utilities & Servicing Statement

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- Air Quality Assessment
- Noise and Vibration Assessment
- Desk Study, Site Investigation & Risk Assessment Report
- Ecological Assessment
- Energy Statement
- Sustainability Statement
- Transport Statement
- Travel Plan Statement
- Framework Construction Traffic Management Plan
- Planning Statement
- Arboricultural Implications Report
- Viability Assessment Report

- 2.7 Following consultation responses received and discussions with officers, an Ecological Mitigation and Enhancement Strategy, a Landscape Addendum, a Planning Addendum, a Technical Note regarding Noise, a Dynamic Overheating Assessment and an Updated Energy Statement have been submitted along with a covering letter regarding the amendments, updated information and addendum documents.
- 2.8 Revised elevation and floorplan drawings have also been submitted, again following discussions with officers on various design, layout, housing mix, landscaping and other matters.

## **PLANNING HISTORY:-**

- 3.1 The site formerly contained a two storey TSB office building. The site was cleared many years ago. Of relevance are:
- CR/1998/0011/RUP – Renewal of outline consent to demolish existing office building and ancillary buildings and erect a four storey B1 (office) building with basement and parking – Permitted.
  - CR/1999/0210/OUT – Demolition of existing office building and ancillary buildings and erection of a four storey B1 office building with basement and car parking – Permitted.
  - CR/2000/0017/FUL – Demolition of existing buildings and erection of B1 office building with basement and deck car parking (amended plans received 06/04/2000) – Permitted.
  - CR/2000/0426/FUL – Erection of B1 office building with associated car parking at ground and first floor deck level – Permitted.
- 3.2 Previously, the site came forward for redevelopment with the adjoining EDF building to the west (former Seeboard). All of the above and the following permissions have subsequently lapsed:
- CR/2003/0491/FUL – Erection of three buildings (varying between ground plus three upper floors and ground plus seven upper floors) containing 237 apartments (118 one bed and 119 two bed), five live/work units and 279sq. m. of B1 floorspace. The provision of a new access from Russell way, 275 car parking spaces (25 at ground level and 250 in a basement plus private informal amenity space) – The application was withdrawn by the applicant.
  - CR/2004/0889/FUL – Erection of mixed use scheme comprising 280 residential units, medical & commercial units together with associated car parking & new entrance arrangements – Refused and appeal withdrawn.
  - CR/2005/0812/FUL – Erection of residential development comprising 270 residential units with associated car parking, landscaping and new access arrangements – Appeal allowed on 24 August 2006. The proposal included a series of linked blocks, rising in height from 3 storeys at the west of the site, adjacent to Beverley Mews, via a stepped link to 5 storeys as Block A, linked to the L-shaped Blocks B and C which were proposed at 9 storeys of accommodation and Block D which were shown to be 10 storeys of accommodation. The reasons for refusal for the Council included loss of land for employment purposes, density of development would have been out of character and the excessive height, bulk and massing would have resulted in a dominant and overbearing form of development in the streetscene.
  - CR/2010/0313/FUL – Extension of time limit for CR/2005/0812/FUL for erection of residential development comprising 270 residential units with associated car parking, landscaping and new access arrangements – Refused and appeal withdrawn. The reason for refusal stated that the proposed development would cause harm to the residential environment of nearby properties by



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virtue of its scale, bulk and impact on privacy that would not be outweighed by the benefits of the increased housing supply provided by the development.

## 3.3 Former EDF Building

- In March 2018 a prior approval was given under ref: CR/2018/0015/PA3 for the change of use from office to residential for 42 two-bedroom units. The building is now occupied by residents.
- CR/2019/0046/NCC – Variation of conditions 2 (plans) & 3 (schedule of materials) pursuant to planning permission CR/2018/0673/FUL for external alterations to the existing building – Permitted.
- CR/2018/0673/FUL – External alterations to the existing building – Permitted.
- CR/2019/0065/FUL – Erection of front fence and entrance gate (amended plans received) – Permitted.
- CR/2018/0297/FUL – Erection of a four storey side extension comprising 20 x 2-bedroom flats, re-cladding external façade and changes to fenestration – The application was withdrawn by the applicant.
- CR/2018/0891/FUL – Erection of 3 storey side extension comprising 12 x two bedroom flats (amended description & amended plans received) – Permitted on 29/10/2020.
- CR/2018/0891/CC1 – Discharge of condition 7 (cycle parking), 9 (travel plan), 14 (refuse storage area) & 15 (bird hazard management plan) pursuant to CR/2018/0891/FUL for the erection of 3 storey side extension comprising 12 x two bedroom flats – this application is currently under consideration.
- CR/2020/0791/NCC – part variation of condition 2 (approved plans) and removal of condition 5 (screens of wintergardens) pursuant to CR/2018/0891/FUL (erection of 3 storey side extension comprising 12 x two bedroom flats - amended description & amended plans received) this application is currently under consideration.

## Sutherland House

- CR/2019/0334/FUL – Installation of playground – Permitted.
- CR/2019/0206/FUL – External alterations of the existing elevations including introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2017/0882/PA3 for the approved change of use from B1 (office) use to C3 (residential) for 136 units including 25 x studio flats, 14 x one bedroom flats and 97 x two bedroom flats - resubmission of planning permission CR/2018/0803/FUL to include 4 additional windows – Permitted.
- CR/2019/0178/NCC - Variation of condition 1 (parking spaces) of prior approval CR/2017/0882/PA3 to relocate two previously approved car parking spaces within the site – Approved.
- CR/2018/0803/FUL – External alterations of the existing elevations including the introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2017/0882/PA3 for the approved change of use from b1 (office) use to c3 (residential) for 136 units including 25 x studio flats, 14 x one bedroom flats and 97 x two bedroom flats – Permitted.
- CR/2018/0453/FUL – Planning application for the construction of an additional storey comprising 7 no. flats, staircase, lift, communal amenity space and associated parking, refuse and cycle storage – This application is currently under consideration.
- CR/2017/0882/PA3 – Prior approval for change of use from B1(A) offices to C3 (residential) for 136 dwellings (25 x studio flats, 14 x one bed flats and 97 x two bed flats). Approved 11/12/17.
- CR/2017/0041/FUL – External alterations of the existing elevations including the introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2016/0608/PA3 involving the approved change of use from B1 (office) use to C3 (residential) for 230 studios including 166 vehicle parking spaces and 259 bicycle spaces (amended plans received) – Permitted.
- CR/2017/0040/FUL – External alterations of the existing elevations including the introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2016/0607/PA3 involving the approved change of use from B1 (office) use to C3 (residential) for 100 units (28 x 1 bedroom units, 47 x 2 bedroom units and 25 x 3 bedroom units) with 130 parking spaces and 187 cycle spaces (amended plans received) – Permitted.
- CR/2017/0037/FUL - Physical division of Sutherland house through removal of the link bridge at 1st to 4th floor levels and inclusion of fire escape – Permitted.

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- CR/2017/0036/FUL - External alterations of the existing elevations including the introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2016/0606/PA3 involving the approved change of use from B1 (office) use to C3 (residential) for 180 units including 126 studios and 54 x 2 bedroom units (amended plans received) – Permitted.
- CR/2016/0608/PA3 – Prior notification of office to residential (C3) comprising 230 studio apartments with 259 cycle parking spaces and 165 parking spaces (option 3) – Prior Approval Approved
- CR/2016/0607/PA3 – Prior approval from office (B1) to residential (C3) comprising of 100 units (28 x 1 bedroom units, 47 x 2 bedroom units and 25 x 3 bedroom units) with 130 parking spaces and 187 cycle spaces - option 2 – Prior Approval Approved.
- CR/2016/0606/PA3 – Prior approval for change of use from B1 (office) to C3 (residential) comprising 180 units (126 no. studios, 54 no. 2 bed), 256 bicycle parking and associated car parking - option 1 – Prior Approval Approved

## PLANNING POLICY:-

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

4.1 The National Planning Policy Framework (NPPF) published in 2019 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

- Section 2 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
- Section 4 – Decision Making states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way. 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.
- Section 5 – Delivering a sufficient supply of homes. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- Section 8 – Promoting healthy and safe communities seeks to ensure planning policies and decisions 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.
- Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
- Section 11 – Making effective use of land – this section promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Section 15 – 'Conserving and enhancing the natural environment' - includes advice on ground conditions and pollution. Paragraph 180 states: *'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*

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*development. In doing so they should: a) Mitigate and reduce to a minimum the 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)

4.2 The following policies from the Crawley Borough Local Plan are most relevant to the proposal:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH1: Neighbourhood Principle states that the town's structure will be protected and enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places.
- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate "Secure by Design" principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council including residential extensions.
- 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 though 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. 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. If on-site provision is not feasible or desirable, commuted sums will be sought in lieu.
- Policy CH7: Structural Landscaping. The area to east of the site has been identified as Structural Landscaping. Areas of soft landscape that make an important contribution to the town and its neighbourhoods, in terms of character and appearance, structure, screening or softening, have been identified on the Local Plan Map. Development proposals that affect this role should demonstrate the visual impact of the proposals and should protect and/or enhance structural landscaping, where appropriate.
- Policy CH11: Rights of Way and Access to the Countryside. Proposals which detract from the character of a right of way or other type of recreational route must adequately mitigate the impacts or provide a new resource of equal or better value if this is not possible. This may include: i) the provision of safe and convenient links to nearby rights of way/recreational routes; and/or ii) new or upgraded existing rights of way to multi-functional routes to create benefits for a range of users.
- Policy H1: Housing Provision. The council will positively consider proposals for the provision of housing to meet local housing needs, taking a pro-active approach to identifying suitable sites for housing development and working to overcome constraints wherever possible, whilst ensuring against detrimental town-cramming or unacceptable impacts on the planned character of the existing neighbourhoods or on residential amenity.
- Policy H2: Key Housing Site. The site is a key deliverable housing site allocated in this policy with 40 dwellings as an indicative capacity figure.

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- 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 contributions 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 the Building Regulations, and any subsequent increased requirements. Proposals for new non-domestic buildings should achieve BREEAM Excellent (for water and energy credits) where technically and financially viable.
- Policy ENV7: District Energy Networks (DEN). The site is within a priority area for District Energy Networks. The development of district energy networks and associated infrastructure is encouraged and should be approved unless it results in significant adverse impacts on the environs. The policy requires that any major development proposal should demonstrate whether it can connect to an existing DEN, 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. For non-residential development, where technically feasible and viable, development should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits. Applicants must demonstrate how they have achieved the requirements of this Policy within their Sustainability Statement as required by Policy ENV6.
- Policy ENV10: Pollution Management and Land Contamination. Where a site is known or suspected to be at risk from contaminants or materials that present a hazard to health, information must be provided detailing the methodology through which risks will be addressed, and ensuring the treatment and/or removal of all such contaminants and materials prior to the commencement of development.
- Policy ENV11: Development and Noise. People's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Noise sensitive uses proposed in areas that are exposed to significant noise from existing or future industrial, commercial or transport (air, road, rail and mixed) sources will be permitted where it can be demonstrated that appropriate mitigation, through careful planning, layout and design, will be undertaken to ensure that the noise impact for future users will be made acceptable. Further guidance on this policy is provided in the Crawley 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.

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- Policy IN3: Development and Requirements for Sustainable Transport. Development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.
- Policy IN4: Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards.

## Emerging Crawley Borough Local Plan 2021 – 2037 (January 2021)

4.3 The Local Plan Review Submission Consultation Draft 2021-2037 has been published for Regulation 19 consultation from 6 January 2021 until 17 February 2021, 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: Movement Patterns, Layout and Sustainable Urban Design
- Policy CL4: Compact Development – Layout, Scale and Appearance
- Policy CL6: Structural Landscaping
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy DD3: Standards for All New Dwellings (including conversions)
- Policy DD4: Tree Replacement Standards
- Policy DD5: Aerodrome Safeguarding
- Policy OS2: Provision of Open Space and Recreational Facilities
- Policy OS3: Rights of Way and Access to the Countryside
- Policy IN1: Infrastructure Provision
- Policy IN3: Supporting High Quality Communications
- Policy H1: Housing Provision
- Policy H2: Key Housing Sites
- Policy H3: Housing Typologies
- 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 SDC2: District Energy Networks
- Policy SDC3: Tackling Water Stress
- Policy EP1: Development and Flood Risk
- Policy EP3: Land and Water Quality
- Policy EP4: Development and Noise
- Policy EP5: Air Quality
- Policy ST1: Development Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

## Supplementary Planning Documents

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

### Urban Design SPD 2016:

4.5 This SPD includes further guidance, examples and explanation of the principles of good urban design and public realm design. It also includes further guidance and examples on residential

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development and sets out 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 the rear of an adjacent building and outdoor private amenity space standards.

- 4.6 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.
- 4.7 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.’
- 4.8 It also includes the Crawley minimum car parking standards (Annex 1). The boundaries of the zones are shown on zone plans. These boundaries are indicative only, and consideration will be given to applying similar standards in close proximity to the boundaries. For Three Bridges Residential Zone, for 1-bed flats the minimum standard is 1 space, for 2-bed flats the minimum standards are 1.2-1.5 spaces and for a 3-plus bed are 2-3 spaces. Regarding cycle parking it is stated that: ‘All cycle parking must be sheltered and secure and in accordance with local guidance and best practice design. For one bed dwellings, 1 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:

- 4.9 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 and 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 and in respect of considering landscaping as part of high quality design.

## Planning and Climate Change SPD 2016:

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

## Affordable Housing SPD 2017

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

## Crawley Community Infrastructure Levy Charging Schedule 2016

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

## Developer Contributions Guidance Note (published July 2016)

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

## **PLANNING CONSIDERATIONS:-**

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

- The principle of the development at this location
- The design and appearance of the proposal and its impact on the visual amenity
- The impact on the amenities of neighbouring occupiers
- Noise
- The acceptability of the proposed development for future occupiers
- The impact on access, highways, parking and the site's operational requirements
- Impact on trees, landscaping and ecology
- Drainage
- Sustainability
- Housing Mix
- Provision of Affordable Housing and Infrastructure Contributions
- Gatwick Airport safeguarding

### The principle of the development at this location

5.2 Local Plan Policy H2 identifies the site as a key deliverable housing site. The use of the site for new flats is also in accordance with NPPF objectives to promote and encourage residential development on appropriate sites. The proposal accords with Policy H2 and therefore the principle of residential development is considered acceptable. Policy H2 states the indicative capacity for Former TSB site as 40 dwellings. From the adopted Local Plan perspective, the proposed quantum of 59 units would represent an uplift of 19 and as such a windfall contribution towards meeting the borough's housing need. On the other hand, further work undertaken by the council as part of the Local Plan review has established that the site could be capable of taking a higher quantum. The submission draft 2021 Local Plan (Policy H2) and supporting SHLAA and Housing Trajectory give an indicative total of 90 dwellings for the site, i.e. 31 higher than is proposed. From the emerging Local Plan perspective, the proposal involves a reduction in the potential of the site as a source of housing. However, limited weight can be given to the emerging Local Plan at this time owing to its early stage and ongoing consultation. The proposal would provide 59 new residential units to meet Crawley's housing needs, which is above the indicative adopted capacity figure. Given this and the constraints on site, despite the emerging Local Plan indicative capacity, the proposal is considered acceptable in principle. The site's opportunities and constraints are discussed in more detail below.

### The design and appearance of the proposal and its impact on visual amenity

5.3 The immediate streetscene of Russell Way comprises the application site, EDF Building to the west and Sutherland House to the north. Tilgate Drive footpath/cycle path, the public right of way, runs at the top of a wooded embankment to the west. Sutherland House is a 5-storey building of little architectural merit. EDF building is a 4-storey building and, following residential conversion, is now finished in white render with grey windows and decorative louvres. According to the Urban Design SPD and Local Plan policies CH2 and CH3, the scale, massing and form of flatted developments should relate to the surrounding area.

5.4 The proposed building would be 4 storey in height and would be L-shaped. The height, bulk and massing of the proposal is considered acceptable and would have a sympathetic relationship with Russell Way streetscene, given the 4-storey and 5-storey buildings to the west. Ground floor garden areas and windows would create an active frontage and improve natural surveillance along Russell Way. Tilgate Drive to the east is Structural Landscaping and the proposal would introduce a new building into this vacant site. The visual impact would inevitably change, compared to the vacant site but, given the 4-storey height and retention of the mature trees on the eastern boundary, this is considered to be acceptable and would not have a significant adverse impact on the visual amenities of this part of Tilgate Drive. At the same time, the proposal would provide some natural

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surveillance and security to the Tilgate Drive footpath, via new windows, balconies/ground floor gardens and entrances. The proposal would incorporate a new pedestrian route to the east. This would improve surveillance and security of the public realm, increase access to the pedestrian route onto Tilgate Drive and improve permeability. The proposal is therefore considered to positively address this part of Russell Way and Tilgate Drive.

- 5.5 The building would have a flat roof, incorporate two flat bay projections along the front elevation (Russell Way) and would have balconies to each elevation. The original design has been revised to respond to officer concerns about the glazing on the elevations, the detailing of horizontal panels of brickwork and vertical metal posts and columns fronting the balconies and how these elements impacted on bulkiness and visual appearance. The amended building would incorporate larger vertical windows and the vertical metal posts of the balconies have been replaced with brick piers. These are considered an improvement to the design and appearance of the originally submitted scheme and have helped to create larger distinct elements of bay projections and balconies along the front elevation onto Russell Way. The proposal would make interesting use of contrasting brick bays and brick pier balconies to the front.
- 5.6 The materials of the building would be brick (Hamsey Multi Stock) in varying patterns (stretcher bond, stack bond, soldier course and rusticated coursing). This variety would create texture and interest to the elevations, to a degree reflecting 'New Town' characteristic features. The building would have lines of brick banding in lighter colour and the recessed brick panels of the bays in stack bond coursing are now finished in a different colour. These elements are considered to further articulate all the elevations and the bays to the front. New brick frames for the entrances onto Russell Way and Tilgate Drive have been inserted as part of the revisions which are considered acceptable and would make these more legible within the streetscene of Russell Way and Tilgate Drive.
- 5.7 The proposal would also include a roof garden to be used by residents. The roof garden has been stepped back from the edge of the roof parapet to reduce visibility from the street and ensure safety. Raised planters, larger feature shrubs, a small pergola, benches and seating cubes would be used and are considered to create an attractive communal amenity space for residents with no impact on the visual amenities of the area.
- 5.8 Overall, the revised proposal is considered to be an improvement on the originally submitted scheme. The size, height and scale of the proposed building is considered appropriate to the surrounding area. In design and visual appearance terms, the revised building would sympathetically relate to the surrounding area. The proposal is therefore considered to accord with the relevant Local Plan Policies, the Urban Design SPD and the NPPF.

## The impact on the amenities of neighbouring occupiers

- 5.9 The neighbouring building most affected by the proposal is the former EDF Building to the west. That building is 4-storey and has eastern side habitable room windows, serving living room/dining/kitchen areas and bedrooms. These bedrooms are also recessed beneath external overhangs.
- 5.10 The applicant has submitted a Daylight and Sunlight report in support of this application. This report concludes in relation to daylight that deviations from the targets set out within the BRE guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (2011) are minimal and isolated to bedrooms with windows beneath overhangs. The applicants have also assessed these bedrooms with the overhangs / projections removed. The results showed that the units would fully meet the targets if these features were not in place. The report therefore concluded on this matter that the assessments show that the design of the neighbouring building to be a main contributing factor in the sensitivities, rather than the massing of the proposed scheme.
- 5.11 This report also concludes in relation to sunlight that in accordance with BRE recommendations, it has not been necessary to test EDF Building because the windows facing the site are not within 90° of due south.



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- 5.12 Given the above conclusions of the Daylight and Sunlight report and the design constraints of this neighbouring building, it is considered the proposal would not have a significant detrimental impact on the amenities enjoyed by the occupants of the former EDF Building in terms of overshadowing and loss of light.
- 5.13 The closest western side windows of the proposed development would serve living room/dining/kitchen areas of 2-bedroom flats on the first, second and third floors. However, these windows would be high level and secondary windows, as these areas would have their primary windows to the south. The side high level windows would be at an angle and 13.5m distance from the side windows of the EDF Building. According to the Urban Design SPD, a minimum distance of 10.5m should be provided between a blank side gable and any windows serving habitable rooms on adjacent properties. Some other side windows are proposed further to the north-west to serve bedrooms. These would have a more angled relationship and be approximately 17m away. Given the high level windows, the angled relationship to the former EDF Building and the separation distance, the proposed closest western side windows are considered acceptable and would not cause an adverse impact on the amenities of the former EDF building in terms of overlooking, loss of privacy or overbearing impact.
- 5.14 Due to the L-shaped nature of the proposed building, straight views from the former EDF building windows would be towards the southern part of the proposal. The direct window to window separation distance here would be approximately 41m. According to the adopted Urban Design SPD three or more storey buildings will need to maintain a minimum distance of 30 metres between the rear windows of an opposing dwelling and the rear facing windows of the proposal in order to avoid any potential overlooking and privacy issues. Therefore, given the above, the proposed development would not result in a harmful overlooking or loss of privacy to the occupiers of EDF Building.
- 5.15 Sutherland House (5 storey building) to the north, lies approximately 39m from the proposed windows on the northern elevation of the proposal. The separation distance is such that there would be no harmful impact on this building. The submitted Daylight and Sunlight Report concluded that a detailed assessment is not required because, given the separation between the scheme and this neighbour, the angle from the centre point of the lowest window of Sutherland House would be well within 25 degree angle in line with the BRE guidelines for daylight and sunlight, and therefore the proposed development would not have a material effect on the residents of Sutherland House.
- 5.16 Nos 34-42 Burwash Road are 2 and 3 storey dwellings that are located to the south of the railway line which bounds the application site. These properties are at least 43m away from the proposed development and are already constrained in their outlook by existing trees. The separation distance is such that there would be no harmful impact on these neighbouring properties. The submitted Daylight and Sunlight Report also concluded that a detailed assessment is not required because, given the separation between the scheme and this neighbour, the angle from the centre point of the lowest window of No.38 Burwash Road would be well within 25 degree angle in line with the BRE guidelines for daylight and sunlight, and therefore any loss of daylight to these properties is expected to be unnoticeable and in line with the BRE guidelines.
- 5.17 To conclude, it is considered that the proposal would not have a significant detrimental impact on the amenities enjoyed by the occupants of neighbouring properties and would accord with the relevant Local Plan policies, the Urban Design SPD and the relevant paragraphs of the NPPF.

## Noise

- 5.18 The site is bordered by the railway line to the south and Russell Way to the north. Further to the east is Stephenson Way industrial area, beyond the public footpath and woodland. The nearest unit within this industrial site is Buildbase, a builders merchants, which only operates during the day. Policy ENV11 seeks to protect future residents from unacceptable noise impacts. It requires a noise impact assessment where sensitive development is proposed in noisy locations. Proposals that would expose future users of the development to unacceptable noise levels will not be permitted, unless appropriate mitigation, through careful planning, layout and design, can be provided.

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- 5.19 The applicants submitted a Noise and Vibration Assessment in support of the application. The noise report shows that parts of the building fall within the lower end of the Significant Observed Adverse Effect Level of policy ENV11 and therefore require some noise mitigation, especially at night. The main noise source observed on site was from rail traffic. The noise from Buildbase and aircraft serving Gatwick was also measured, and it was concluded that this noise would not adversely affect future residents. There is a roof garden which is protected from surrounding noise sources which would achieve the recommended standard in BS8233:2014 – Guidance on Sound Insulation and Noise Reduction for Buildings.
- 5.20 Following discussions with Environmental Health regarding concerns about noise, needing to keep windows closed, good acoustic design and overheating, a Technical Note regarding noise and a Dynamic Overheating Assessment have been submitted. In addition, the submitted Planning Addendum refers to good acoustic design/hierarchy considerations.
- 5.21 The Planning Addendum and Technical Note justify the provision of an L-shaped building and detail the acoustic design approach. They show how the number of sensitive rooms is minimised and amenity space has been relocated and is screened to reduce external sound levels as far as practicable. Being L-shaped, the majority of the building is set away from the railway line or the facades are perpendicular to the railway line. Where windows are side hinged, the opening would face away from the rail line to minimize reflections into the rooms. Solid screened balconies are provided with under soffit absorptive material to minimise reflected sound whilst maintaining an open balcony. As a result, a narrow flank elevation is close to the southern boundary with the railway but the flats here (total of 8 flats out of 59 flats) would be dual aspect and benefit from primary elevations either fronting onto Tilgate Drive or onto the landscaping and car parking courtyard behind the building. The Planning Addendum also states that; *'the railway is set in a cutting 1m below the level of the site with a 0.5m raised bank along the boundary, and thick existing planting across the embankment, so the existing topography and landscape also provides a natural barrier to noise.'* The balconies and terraces close to this southern boundary would have solid acoustic screens forming a barrier to the noise pathway and sheltering the amenity spaces and windows along the east and west elevations.
- 5.22 The Environmental Health team reviewed the additional information and commented that it confirms that the internal noise levels specified in BS8233 would be exceeded if the windows are left open for ventilation. The levels of exceedance are not large, but would be more problematic at night especially the night-time L<sub>Amax</sub> levels. However, the new overheating report assumes that the occupants can use the windows normally for ventilation. The report also makes the assumption that the residents would be at home during the day to open those windows, which again is not necessarily the case as many will be out during the day. It is likely that an occupant who is out during the day would need to open their windows at night to cool their flat down. This could exposing them to excessive noise. However, the Environmental Health Team considers that this is resolvable and has recommended a condition regarding an overheating and ventilation strategy. They state that, as a part of the discharge of that condition, the applicants can include a review of the overheating report to reflect the fact that windows may need to be kept closed during the day and night for either security or noise reasons.
- 5.23 Overall, the proposed development, subject to a detailed condition recommended by the Council's Environmental Health team, would be in accordance with Local Plan policies CH3 and ENV11 and the relevant paragraphs of the NPPF.

## The acceptability of the proposed development for future occupiers

- 5.24 Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, which is based on the Nationally Described Space Standards. All the proposed units would meet the minimum space standards.
- 5.25 The Council's Urban Design SPD recommends that 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. The proposed development would provide balconies for each unit and the proposed private balconies would meet the requirements contained in the Urban

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Design SPD. A 200 sqm communal amenity area would be provided as a rooftop terrace. It is therefore considered that the private and communal amenity areas would be sufficient for the future occupiers.

- 5.26 Officers raised concerns over the layout of some of the proposed units and requested matters of privacy, light and provision of dual aspect units to be re-considered to improve the living environment for the future occupants. The applicants submitted revised layout and landscaping to address these concerns as following:
- Ground floor:
    - Flat A1 01 now has a new 1m wide hedge / threshold planting outside its windows to increase privacy, along with a new window facing south onto the terrace to provide dual aspect for this flat.
    - Flats A1 02 & A2 02 have been redesigned to provide dual east/west aspect for privacy and lighting reasons, and the amenity space to the east of the building has been revisited to provide more generous ground floor terraces to these flats and improved soft landscape screening for this area.
    - Flat A2 03 had its amenity area to the north increased in area, and the landscape revisited to provide more defensible space and more soft landscape in front of the terrace . A separate private amenity space has also been placed to the south of this flat which are accessed by the bedrooms. This gives the residents the choice of south facing amenity facing the railway or quieter and more private amenity space to the north.
  - First floor: A2 09; A solid brick wall to the entrance from Tilgate Drive has been introduced to increase the screening of this flat.
- 5.27 All these amendments are shown on the revised plans and are considered an improvement to the between the proposed flats, the applicant confirmed that screens would be provided to the private balconies. This is considered acceptable to prevent overlooking and is recommended to be conditioned.
- 5.28 The applicants have submitted a Daylight and Sunlight report to support the proposed development, given the L-shaped nature of the building and the levels constraints to the east. For internal daylight amenity, this report concluded that 98% of the rooms would meet the targets for Average Daylight Factor (ADF). The 4 rooms which are below the targets are minor deviations of 0.1% and as such, are regarded non-material / unnoticeable. The applicants have also considered the daylight levels to the proposed units with the trees to the east in place. The results of the tree assessments show that of the 36 rooms assessed within the eastern elevation, 34 will meet or exceed the target in the summer months when the trees are in leaf. Both of the affected rooms are open plan living spaces served by external balconies (First R63 and Second R105). The report comments in this regard that: *'Room 63 is a minor deviation of 0.2% which is unlikely to be noticeable at 1.3% ADF. Room 105 is slightly lower at 1% ADF however this achieves the minimum requirement for a habitable space. Open plan configurations maximise the overall quality of the space but inevitably lead to reduced daylight levels. If we consider the main living space in isolation it is likely that the main living area closest to the window would meet / exceed the BRE target of 1.5% for a living room. When we consider the proposed units in the winter when the trees are bare, all rooms fully meet the BRE guidelines for ADF.'*
- 5.29 Given the above and the submitted supporting information, the layout of the proposed development would be acceptable and would provide a satisfactory living environment for future residents.
- 5.30 The proposed ground floor plan shows a main refuse store, located to the north-east of the building. This plan also shows another smaller store for block A2 within the main core of the block, with a holding area located in the undercroft of Block B (shown on the ground floor plan as A2 bin collect area). As clarified by the agent and shown in the submitted Transport Statement, due to the first floor extending over the access, large vehicles would not be able to enter the site due to height restrictions. Therefore, on collection days, a private management company would relocate the bins from the A2 bin store to the A2 collection point near to the site access. This route has been shown on a drawing included in the Transport Statement. The Council's Refuse team reviewed the submitted information and commented that the bin stores appear to hold sufficient bins for the number of flats and that the management company should be wholly responsible for presenting bins at the collection point by 7.30am on each collection day. They, however, requested a dropped kerb

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to be shown in front of the main refuse store to the north-east of the building so that the bins can be lowered to road level.

- 5.31 The applicants submitted a car park layout and vehicle tracking drawing showing a dropped kerb. This has been reviewed by the Council's Refuse team and WSCC Highways who raised no objections. WSCC Highways commented that swept path tracking plans have been provided demonstrating that a refuse collection vehicle can manoeuvre within the existing turning head on Russell Way. Specific details of the dropped kerb are recommended to be secured by condition.
- 5.32 Overall, the proposed development would result in a satisfactory environment for future residents in terms of space standards, light, outlook and outdoor amenity space.

## The impact on access, highways, parking and the site's operational requirements

- 5.33 Vehicular access to the proposed internal car park of the development would be provided by the existing vehicular access with Russell Way at the western end of the site via an undercroft.
- 5.34 WSCC Highways have been consulted and state that no changes to the existing vehicular access with Russell Way are proposed. This access is located to the western edge of the site and features 5m width and 4m kerb radii. The submitted drawings demonstrate that two cars can pass at the site access and within the site. It has also been demonstrated that the car parking spaces are accessible and that a car can turn on site in order to exit in a forward gear. Suitable vehicular visibility splays are available entirely within the publicly maintained highway and this has been annotated from 2.4m back into the centre of the existing access and extending to 43m in either direction along Russell Way (to the nearside kerb edge). As per the Manual for Streets (MfS), 43m is a suitable Stopping Sight Distance (SSD) for 30mph speeds. Russell Way is a cul-de-sac, which restricts traffic movements.
- 5.35 Regarding the road network capacity, WSCC Highways concluded that the proposals would not result in a road network capacity issue to the surrounding area, by commenting the following:

*'The previous permitted B1 office use was approximately 714sqm floorspace. The TS sets out person trip rates for the previous office use using TRICs (Trip Rate Information Computer Systems database) and has applied percentages from Crawley census travel data to determine modal split for transport modes to and from the site. The resultant vehicular peak hour trips indicate 19 x two way movements in the AM and 13 in the PM peak. To compare against the anticipated trips for proposed residential development, TRICs was interrogated under private flats data to determine person trip rate. Again using percentages from census data for travel modes in Crawley, it was found that 59 x flats could create 19 x two-way vehicular movements in the AM and 19 in the PM peak. The anticipated increase in vehicular movements to and from the site in the peak hours and over the 12 hour day period is considered negligible over what could be supported by the previous permitted office use. Furthermore, a limited amount of car parking will be provided which will limit the amount of vehicular movements to and from the site, and residents are anticipated to make use of sustainable transport means considering the location and proximity to services/amenities and Three Bridges Train Station. An increase of 50 vehicular movements per day over the previous use is not expected and thus a Stage 1 Road Safety Audit is not required on the existing access. As less than 30 vehicular movements are expected in peak hour the LHA would also not require a junction capacity assessment. It is considered that the proposals would not result in a road network capacity issue to the surrounding area.'*

- 5.36 A separate pedestrian access onto Russell Way to the north-east is proposed to serve the development. A footbridge at first floor level is also proposed to link directly with the Tilgate Drive footpath/cycle path right of way to the east. WSCC Highways welcome this link for pedestrian use for residents of first floor and above. Residents of ground floor and cyclists would travel to the footpath/cycle path by using the steps/ramps in north eastern corner of Russell Way. WSCC Highways requested a length of footway across the end of the cul-de-sac (currently overgrown vegetation) to make the development acceptable in pedestrian safety terms. The applicants provided a Car Parking Layout and Vehicle Tracking drawing showing the extent of widening to the existing footway (2m) that can be provided at the eastern edge of Russell Way requesting this to be conditioned. WSCC Highways raised no objection to this provision and commented that these works

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can be carried out entirely within the public highway without impacting the existing space within the turning head. It is noted that the existing ramp extends to the kerb line and thus some levelling works may be required. As this part of the improvement works are outside the application site, details and approval of these improvements would be secured via a legal agreement.

- 5.37 The car park would provide a total of 40 car parking spaces, 3 of which would be disabled. The Council's minimum car parking standards, within and in close proximity to the Three Bridges Residential Zone where the application site is located, require 69-82 car parking spaces for the proposed development (1 space per 1-bed flat, 1.2-1.5 spaces per 2-bed flats and 2-3 spaces per 3 bed flats – the housing mix is 23 x 1-bed flats, 33 x 2-bed flats and 3x3-bed flats). The proposed development would have a shortfall of 29-42 spaces against these indicative minimum car parking standards.
- 5.38 The application site is located on the southern side of Russell Way which links with Paymasters General Roundabout (left in/left out junction) to the west, Haslett Avenue East to the north and Hawth Avenue to the south. The site is well located for access by cycling, with a number of on and off-road cycle routes in the vicinity as well as advisory cycle routes. Within 800m of the site, a number of services and amenities are easily accessible by foot, including local retail stores (500m from the Tesco Express to the west) and employment opportunities. There are also a number of schools, industrial estates and retail parks within the preferred maximum walking distance of 2km. It is considered that the nearby footway network is suitable to accommodate travel by foot, as a more sustainable transport option. Three Bridges railway station is approximately 10 minute walk and includes provision for car and bicycle parking. The station can be reached by the Tilgate Drive footpath/cycle path via the steps/ramp from north-east corner of Russell Way. The station provides services to larger employment and retail centres such as Brighton, London Victoria and Portsmouth. The nearest bus services are available from Paymaster Generals Roundabout (approximately 130m from site) and include bus shelter and timetable information. Frequent services to locations such as Crawley centre, Gatwick and other suburbs and further afield destinations such as Redhill are available. There are also additional bus stops in the vicinity including along Haslett Avenue East. The site is therefore in a sustainable location.
- 5.39 Transport Statement and Travel Plan Statement (TPS) have been submitted in support of the application. WSCC Highways raise no objection to the proposed car parking provision. They comment that the car parking spaces have suitable dimensions of 2.4m by 4.8m and the disabled spaces include an extra 1.2m wide hatching at the access aisles. WSCC Highways acknowledge the proximity of the site to sustainable transport modes, such as walking, cycling and public transport. Whilst it is advised that the car parking remains unallocated, the WSCC Highways does not raise a highway safety concern to the shortfall in parking. WSCC Highways states that the nearby road network features double yellow lines prohibiting overspill on-street parking in locations that could be detrimental to highway safety, and therefore no transport grounds to resist the car parking provision could be made. The Transport Statement includes car ownership data that, for the Crawley area, states that, for flats, 47% of households do not have a car and the average number of vehicles per flat is 0.62. This would equate to a potential demand for 37 x spaces. WSCC Highways conclude that, whilst not within Crawley town centre, the location is well sited for public transport links. WSCC Highways consider that the reduction in parking provision has been justified on site specific grounds and that options for non-car travel modes could realistically be taken up.
- 5.40 In addition, the TPS sets out a range of measures to encourage new residents to utilise sustainable modes of transport and provision of suitable targets to reduce single occupancy car travel and increase uptake of sustainable travel modes. The TPS sets out the background information of the site including proximity to rail and bus services and walking and cycling distances to nearby services and amenities. Section 5 sets out aims and objectives of the TPS and outlines targets to reduce single occupancy car travel by increasing number of sustainable trips by 15% within 5 years of occupation. The targets would be subject to survey data of residents and includes targets for increasing travel by train, bus, walking and cycling. A Travel Plan coordinator will be appointed prior to occupation to oversee development and implementation of the TPS. Liaison between the TPS coordinator and bus and rail operators will take place to seek to provide discounted vouchers for residents. Each flat will receive a 24 hr bus ticket and residents will also be encouraged to sign up to liftshare, the car sharing club. WSCC Highways consider that a final version of the TPS can be secured via condition prior to occupation to include the revised cycle parking and EV charging

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points. The final TPS and should include details of the TPS coordinator and could also include a commitment to promoting bike shop discounts, more details of a travel audit for residents, a season ticket for the local bus/rail services, contribution towards the purchase of a new bicycle and/or equipment, Bikeability training and 12 months free membership to any local car club (including joining fee). Given the level of detailing required in this Travel Plan, its final version is recommended to be secured via a legal agreement.

- 5.41 Motorcycle parking is proposed at the south-western corner of the car park for the use of residents. The proposal, as amended, includes cycle parking for 94 residents' cycles and 10 visitor cycles. These cycle spaces would comply with the Council's adopted minimum cycle parking standards (91 resident cycle spaces and 8 visitor cycle spaces are required). The residents' cycle spaces would also be covered and secured in accordance with the requirements of the Urban Design SPD. This can be secured by condition. The Walking and Cycling Forum is happy with the capacity of the cycle spaces, but commented that some of the spaces proposed would be not be that useable and that some electric bike charging facilities should be provided. The applicant clarified that the annotation originally on the number of residential spaces on the main cycle store was incorrectly shown as 60 when it should be 54 (the proposal still exceeds the number of cycle spaces required for residents) and that two-tier stands of 'Bikedock Solutions' would be used. The applicant also argued that electric bike charging facilities are not required in policy or SPDs and that a universal charger is not possible as the majority of E-bike manufacturers state that their battery should only be connected to their own brand charger. Whilst unfortunate, this is considered acceptable given the lack of any policy or SPD requiring this provision.
- 5.42 Given the location of the proposed development, the fact that WSCC Highways raised no objection regarding the number of parking spaces, the submission of a Travel Plan, the provision of cycle parking in accordance with the Council's standards and the arguments included in the submitted Transport Statement in relation to car ownership data, it is considered that travel by bus, rail, foot and cycle could reasonably be utilised by residents of the new development thus reducing reliance on private car. Therefore, the shortfall of between 29 and 42 car parking spaces is considered, on balance, to be acceptable in this instance.
- 5.43 A Framework Construction Traffic Management Plan has also been submitted in support of the application. WSCC Highways do not raise objection in principle to this, but have commented that it has not been demonstrated that all vehicles can turn within the site. A detailed site set up plan would also be required within the revised CMP to show areas for contractor parking, plant/material storage, loading/unloading areas and wheel wash location. The applicant is invited to enter in to early discussions with the Crawley Area Highways Manager to discuss these requirements. WSCC Highways advised that all these matters should be addressed within the revised CMP, to be secured via condition. This is recommended to be conditioned.
- 5.44 Overall, WSCC Highways raised no objections to the proposed access arrangements and the resultant road network capacity, subject to conditions to secure details to include footway and dropped kerb. Given the sustainable location of the development, the above considerations by WSCC Highways and supporting information provided by the applicants, it is considered that the shortfall of between 29 and 42 car parking spaces would be, on balance, acceptable in this instance. Conditions are recommended in relation to car and cycle parking, and a construction management plan. Highway modification works to include the footway and dropped kerb, and a final version of the Travel Plan are recommended to be secured via a legal agreement.

## Impact on trees, landscaping and ecology

- 5.45 The site contains some existing trees along the western, eastern and southern boundaries. An Arboricultural Implications Report has been submitted. Ten individuals and two group of trees are required to be removed in order to facilitate development. All these trees are category 'C' trees. The Council's Arboricultural Officer raised no objection to the proposed removal of the trees on site, provided that the Tree Protection plan is adhered to. This is recommended to be conditioned. He commented that none of the trees to be removed are visually significant and would not result in any loss of amenity. He is happy that the retained trees can be protected throughout the development with no significant future impact post-development.

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- 5.46 The Council's Ecology Advisor reviewed the Ecological Assessment report submitted. He commented that, as set out in this appraisal, the site has little current biodiversity value other than along the boundaries. He raised concerns that the proposed landscaping scheme and vegetation on the roof of the terrace would not offer a net gain in line with the aspirations of the Local Plan policy ENV2. Along with this concern, officers also requested that the car park landscaping scheme be re-considered to achieve more trees on site to improve the living environment for future occupiers. The applicants submitted an additional Ecological Mitigation and Enhancement Strategy which includes bird boxes, means of escape for badgers, hedgehog gateways etc. A revised landscaping scheme has also been submitted to include additional planting within the site and roof terrace and 4 new trees within the parking layout. The Council's Ecology Advisor raised no objection to this strategy and revised landscaping scheme, stating that he is satisfied that the proposals now contribute to a net gain in accordance with Policy ENV2. He recommended a condition for this strategy to be implemented. The Council's Arboriculture Officer also reviewed the landscaping scheme submitted and commented that the choice of species would be appropriate and would work well with the scheme, subject to implementation condition. All these implementation conditions are recommended to be attached to the decision.
- 5.47 Overall, the proposal, subject to implementation of Tree Protection Plan, Ecological Mitigation and Enhancement Strategy and the proposed soft and hard landscaping plan, is considered acceptable and would accord with the relevant Local Plan policies and the NPPF.

## Drainage

- 5.48 The submitted Flood Risk Statement states that permeable paving and below ground attenuation with restricted discharge to the main sewer would be used to control the surface water runoff from the site. WSCC Lead Local Flood Authority raised no objection to this and commented that this method would, in principle, meet the requirements of the NPPF and associated guidance documents. The Council's Drainage Officer also raised no objection to the proposal by stating that the overall proposed design/submission including the landscaping, vegetation and roof garden is a clear and comprehensive and well thought-out solution. The Council's Drainage Officer is happy with comprehensive maintenance schedule and the indication that future maintenance would be undertaken by a management company.
- 5.49 However, minor revisions to the proposed drainage strategy have been made to address the Drainage officer's concerns about potential downstream flooding from the car parking area due to level changes. These revisions are recommended to be conditioned.
- 5.50 Overall, the proposal, subject to the implementation condition, is not considered to have a detrimental flood risk and would accord with the relevant Local Plan Policies, and the NPPF.

## Sustainability

- 5.51 The proposal is accompanied by an Energy and Sustainability Statement. Gas boilers are proposed to supply the space heating and hot water requirements of the dwellings. The Council's Energy and Sustainability Officer requested further information on an alternative approach to low carbon energy in the absence of any form of decentralised/communal system to accord with Policy ENV7. In response to this, an updated Energy Statement was submitted proposing solar PV panels to reduce the CO2 emissions by just over 10% more. This is considered an acceptable alternative and would be in accordance with Policies ENV6 and ENV7. The Energy Statement confirms that the proposed scheme intends to comply with the tighter 'optional' Building Regulations water efficiency requirement from Policy ENV9. The proposal, subject to conditions, is therefore considered to accord with Policies ENV6, ENV9 and ENV7.

## Housing Mix

- 5.52 Policy H3 requires all housing developments to provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. For market housing needs and demand in Crawley consideration should be given to the evidence in the SHMA and its updates. The originally proposed housing mix was 24x 1-bedroom flats and 35x 2-bedroom flats. Officers raised concerns about this proposed housing mix as, comparing the proposed mix with that set out in the SHMA updates and Local Plan, there was clearly a greater bias in the proposed mix towards smaller

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properties. Officers requested the consideration of some 3-bedroom units to address the requirements of this policy.

- 5.53 Whilst applicants originally resisted providing any 3-bedroom units, making arguments based on the location of the site, the demand and viability of the site etc, they eventually revised the scheme to provide 3x3-bedroom flats and reduced the number of 1-bedroom units. The resultant housing mix is 23 x 1-bedroom flats, 33 x 2-bedromm flats and 3x 3-bedroom flats. This is considered a significant improvement to the originally submitted scheme and, given the higher-density flatted scheme, is considered on balance to be acceptable in this regard.

## Provision of Affordable Housing and Infrastructure Contributions

- 5.54 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. 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 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need.
- 5.55 Twelve units (20% of the proposed development) are proposed to be Intermediate Affordable Housing. The applicant submitted a Viability Assessment arguing that it would not be viable to provide affordable housing in strict accordance with policy H4. This was independently assessed on behalf of the Council by Dixon Searle. The resultant assessment report concluded that Dixon Searle agreed with the provision of only 20% affordable housing and that it represents a reasonable offer in the particular circumstances.
- 5.56 Whilst it is unfortunate that the scheme cannot deliver 40% affordable housing, this has been justified in viability terms. The proposal would make a small contribution towards addressing Crawley's affordable housing needs. Provision of this level of affordable housing can be secured through a Section 106 agreement. The Council's Housing Enabling and Development Manager requested the S106 agreement to include a cascade mechanism and given that the scheme does not deliver 40% affordable housing, in accordance with paragraph 4.13 of the Affordable Housing SPD and the Planning Practice Guidance, a review mechanism of viability should be secured to address potential improvements in viability as the scheme progresses.
- 5.57 Policy IN1 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will seek to implement a Community Infrastructure Levy (CIL). The Crawley CIL Charging Schedule has been in effect since 17 August 2016 and is relevant to this application for new residential units. The charge for residential within the borough-wide zone is £100 per sqm subject to indexation. Should planning permission be granted, an informative can be attached to the decision notice to inform that this development constitutes Community Infrastructure Levy 'CIL' liable development which is a mandatory financial charge on development.
- 5.58 According to Policy CH6, one tree per new dwelling created would need to be provided on site or as payment in lieu (£700 per tree) of this provision. The Policy also requires a payment for any existing trees lost as a result of the development based on the girth of the trees. Policy CH6 contains details on the calculations for replacement tree planting which are as follows:

<b>Trunk Diameter (CMS @ 1.5m above ground level)</b>	<b>Tree number</b>	<b>Number to be removed</b>	<b>Minimum number to replant</b>
Less than 19.9	15, 17, 18, 20, 21, G4 (Goat Willow, Silver Birth and Wild Cherry)	8	8
20 – 29.9	7, 13, 16, 22, 23, G2 (Hawthorn, Wild	9	18



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	Cheery, Elder and English Oak		
30 – 39.9	19	1	3
Total		18	29

- 5.59 The proposal would involve the creation of 59 new residential units and would involve the removal of 18 trees, and based on the girth of these trees as shown on the table above, it would require 29 replacement trees. In total,  $59 + 29 = 88$  trees would need to be planted on site or with the agreement of the council off site. The revised Detailed Planting Plans submitted shows that 23 trees would be planted on site. Therefore, a contribution of £45,500 (£700 x 65 trees) would be required as a payment in lieu of this provision. The applicant has agreed to make this contribution towards the cost of purchasing, planting, protecting, establishing and initially maintaining new trees in locations that contribute to the character and appearance of Crawley. This would be secured through a legal agreement.
- 5.60 The proposal would involve the creation of 59 new residential units and therefore it would trigger off-site contributions towards children's/youth play, amenity green space and allotments. According to the Countryside & Open Space Officer, the proposed development would trigger contributions which would total £28,590.25 (£14,696.50 for provision for children/teenagers, £8,336.25 for amenity green space and £5,557.50 for allotments). This could be directed towards enhancing such provision at the Youth and Children's play space located within Southgate Park, the amenity green space to the north of Gales Drive and Gales Drive Allotments, subject to discussions with Community Services. The applicant has agreed to make this contribution which would be secured through a legal agreement.

## Gatwick Airport safeguarding

- 5.61 Gatwick Airport Safeguarding and NATS have both commented on the application. NATS raises no objection. GAL Safeguarding raises no objection, subject to a condition for a Bird Hazard Management Plan to be submitted and implemented, and to a cranes informative.

## **CONCLUSIONS:-**

- 6.1 The application site is a vacant brownfield site of approximately 0.3ha situated on the southern side of Russell Way, which is a short cul-de-sac leading from the "Paymasters General Roundabout" (left in/left out junction) to the west. It was formerly occupied by the TSB Computer Centre (demolished around 2000) with vehicular access at north-western end of the brownfield site. This application seeks planning permission for the erection of an L-shaped four storey building comprising 59 flats, of which 12 flats would be affordable housing, with associated landscaping, refuse and cycle storage, infrastructure works and parking court at the rear for 40 cars. Local Plan Policy H2 identifies the site as a key deliverable housing site and therefore the principle of residential development is considered acceptable.
- 6.2 The scheme has been amended since the application was submitted, through revisions to the design of the proposal, the layout of the proposed units, the housing mix by providing 3-bedroom flats, provision of a footway, additional residents' cycle spaces and trees and landscaping, and provision of solar panels and drainage of the car park. The revised proposal is considered to be an improvement on the originally submitted scheme. The size, height and scale of the proposed building is considered appropriate to the surrounding area. In design and visual appearance terms, the revised building would sympathetically relate to the surrounding area.
- 6.3 Given the design and positioning of the proposal via an L-shaped building and the submitted Daylight and Sunlight Report, the proposal would not have a significant detrimental impact on the amenities enjoyed by the occupants of neighbouring properties, and especially former EDF building to the west.
- 6.4 All the proposed units would meet the minimum space standards and would have private balconies in accordance with the requirements contained in the Urban Design SPD. A communal amenity area would also be provided as a rooftop terrace. The proposed development is also considered to result

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in a satisfactory environment for future residents in terms of light, outlook. Subject to a detailed noise condition, it would also be acceptable in noise terms.

- 6.5 WSCC Highways raised no objections to the proposed access arrangements via the existing vehicular access and the resultant road network capacity subject to conditions to secure details to include footway and dropped kerb. Given the location of the proposed development, the fact that WSCC Highways raised no objection regarding the number of parking spaces (40), the submission of a Travel Plan, the provision of cycle parking in accordance with the Council's standards and the arguments included in the submitted Transport Statement in relation to car ownership data, it is considered that the shortfall of between 29 and 42 car parking spaces would be, on balance, acceptable in this instance. Conditions are recommended in relation to car and cycle parking and a construction management plan. Highway modification works to include the footway and dropped kerb, and a final version of Travel Plan are recommended to be secured via a legal agreement.
- 6.6 The impact of the proposal on the retained trees, drainage, landscaping, ecology and sustainability issues are all acceptable, subject to the appropriate conditions.
- 6.7 The revised resultant housing mix of 23 x 1-bedroom flats, 33 x 2-bedromm flats and 3x 3-bedroom flats is considered a significant improvement to the originally submitted scheme by providing some market 3-bedroom flats and, given the higher-density flatted scheme, is considered on balance to be acceptable in this regard.
- 6.8 Twelve units (20% of the proposed development) are proposed to be Intermediate Affordable Housing. Whilst it is unfortunate that the scheme cannot deliver 40% affordable housing, this has been justified in viability terms. The proposal would make a small contribution towards addressing Crawley's affordable housing needs. The applicant would also pay the contributions towards the cost of purchasing, planting, protecting, establishing and initially maintaining new trees, and towards children's/youth play, amenity green space and allotments.
- 6.9 It is therefore recommended that the scheme is granted planning permission subject to the conclusion of a Section 106 Agreement to secure:
- Provision of a minimum of 12 affordable housing units within the scheme, a cascade mechanism and a review mechanism to address any potential upturn in viability as the scheme is developed;
  - The tree mitigation (£45,500) infrastructure contributions;
  - Open space (£28,590.25) infrastructure contributions;
  - Highway modification works to include the footway and dropped kerb, and
  - A Travel Plan.

## **RECOMMENDATION RE: CR/2020/0037/FUL**

**PERMIT** - Subject to the conclusion of a Section 106 agreement, and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No above ground development shall take place unless and until a schedule and samples of materials and finishes to be used for all external walls, balconies, glazing, privacy screens and roofs of the proposed building and for hard landscaping have been submitted to and approved by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policies CH2 and

# Agenda Item 6

CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

4. The building shall be constructed in strict accordance with the approved levels details associated with the application.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No cables, wires, aerials, pipe work, meter boxes, alarm boxes, lighting, satellite dishes, flues, vents or other external fixtures other than those shown on the approved drawings shall be affixed to the exterior walls of the development hereby approved unless precise details have been submitted to and approved in writing by the Local Planning Authority. The fittings shall thereafter be retained in accordance with the agreed details.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
6. No above ground development shall take place unless and until precise details of all roof mounted equipment (including roof plant, vents, lift runs, aerials, satellite dishes, solar panels) have been submitted to and agreed in writing by the Local Planning Authority. Details shall include the following:
  - The exact location of the equipment on the roof;
  - The height of the equipment above the roof;
  - The materials and finish of the equipment;
  - Drawings to demonstrate the visual impact of the equipment from Russell Way and Tilgate Drive; and
  - Demonstration from the siting of the equipment that all practical measures have been adopted to minimise the visual impact of the equipment on the surrounding area.The development shall be implemented and maintained strictly in accordance with the agreed details. No additional roof equipment shall be added to or altered without the prior written agreement of the Local Planning Authority.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
7. The building shall not be occupied until plans showing the exact location and details of the privacy and acoustic screens to the balconies and roof terrace have been submitted to and approved in writing by the Local Planning Authority. The screens shall be implemented in accordance with the agreed details prior to occupation of the building and thereafter retained.  
REASON: To ensure that the amenity of the future occupiers of the development is protected in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030 and the Urban Design Supplementary Planning Document.
8. Prior to the first occupation of the flats hereby approved, the rooftop amenity space shall be fully implemented and made available for use by residents. The amenity space shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To create a high quality residential environment for future residents and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
9. None of the flats hereby approved shall be first occupied until at least one car parking space for use by its occupants has been constructed and made available for use in accordance with the approved plans. No more than 80% of the flats hereby approved shall be first occupied until the car and motorcycle parking and electric charging points have been fully constructed and made available for use in accordance with the approved plans. Once provided, the car and motorcycle parking spaces and electric charging points shall thereafter be retained at all times for their designated purpose.  
REASON: To ensure that provision is made for the accommodation of vehicles clear of the highways in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design Supplementary Planning Document.

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10. The flats hereby permitted shall not be occupied until the covered and secure cycle parking spaces and visitor cycle parking spaces have been provided in accordance with the approved plans and details associated with the application. The spaces shall be made available to visitors and residents occupying the development and shall be maintained as such thereafter.  
REASON: To encourage sustainable travel options and in accordance with Policies CH3, IN3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design Supplementary Planning Document.
11. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
- the anticipated number, frequency and types of vehicles used during construction,
  - the method of access and routing of vehicles during construction,
  - the parking of vehicles by site operatives and visitors,
  - the loading and unloading of plant, materials and waste,
  - the storage of plant and materials used in construction of the development,
  - the erection and maintenance of security hoarding,
  - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
  - details of public engagement both prior to and during construction works,
  - details of dust management measures.
- REASON: In the interests of highway safety and the amenities of the area and to accord with Policies CH3, ENV12 and IN3 of the Crawley Borough Local Plan 2015-2030.
12. The flats hereby permitted shall not be occupied until the refuse and recycling areas have been provided in accordance with the approved plan. The areas shall be maintained as such thereafter. The refuse and recycling areas hereby approved shall operate in accordance with the Refuse Management Strategy included within the Transport Statement provided by Ardent Consulting Engineers (dated December 2019) and the details included within the email of the Transport Consultant (dated 24/03/2020) unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure the operational requirements of the site can be met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
13. The development hereby approved shall be carried out in strict accordance with the recommendations set out in the Arboricultural Implications report provided by SJA Trees Arboricultural planning consultants and dated December 2019 and shown on the Tree Protection Plan included within this report. 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 as shown on the Tree Protection Plan. 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 are an important feature of the area in accordance with Policies CH2 and CH3 of Crawley Borough Local Plan 2015-2030.
14. The hard and soft landscaping scheme of the development hereby approved shall be implemented in accordance with the approved General Arrangement Plans and Detailing Planting proposals associated with the application, unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030 and the Urban Design Supplementary Planning Document.
15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased

# Agenda Item 6

shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of amenity and of the environment of the development in accordance with policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

16. The development hereby approved shall only be undertaken in accordance with the Ecological Mitigation and Enhancement Strategy by Ecology Solutions October 2020 (ref 8299.EMES.vf1) and a statement of compliance, signed by the project ecologist, shall be submitted prior to first occupation.

REASON: To protect / enhance the biodiversity of the site in accordance with Policy ENV2 of the Crawley Borough Local Plan 2015-2030 and paragraph 175 of the NPPF.

17. No works above ground level shall be carried out until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of the flat roof, including the green roof area on the proposed building which may be attractive to nesting, roosting and "loafing" birds.

The Bird Hazard Management Plan shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: It is necessary to manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

18. The development hereby approved shall only be undertaken in accordance with the Flood Risk Assessment report referenced 191941-02 provided by Ardent Consulting Engineers and dated December 2019, the Drainage Strategy drawing numbered 191940/02 Rev D and included within this Flood Risk Assessment Report, and the Initial Levels Plan numbered 191941-001 RevB associated with this application.

REASON: To reduce the risk of flooding and safeguard future occupants of the site in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.

19. No development shall take place until a scheme to protect dwellings against noise from (a) Russell Way (b) the railway line has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition the scheme shall include:

- (i) Identifying the level of noise exposure for each dwelling and the means by which the noise level within any (unoccupied) domestic living room or bedroom, with windows open, shall be no more than 35 dB(A) Leq 16hr (between 0700 and 2300) and no more than 30dB (A) Leq 8hr (between 2300 and 0700); and
- (ii) the means by which the noise level within any (unoccupied) domestic bedroom, with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700.

Where the standards in (i) and/or (ii) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which natural and if proved necessary mechanical ventilation will be provided to adequately deal with summer overheating. Summer overheating will require a CIBSE TM59 assessment and any mechanical ventilation noise must not exceed Noise Rating Curve 25 (NR25) with windows shut.

No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.

REASON: To safeguard future occupants of the site from unacceptable noise and overheating impacts in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.

20. No development shall take place until a scheme to deal with the contamination of the land and/or ground water has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the measures approved in that scheme have been fully implemented. The scheme shall include all the following measures, unless the LPA dispenses with any such requirement specifically and in writing

1. A written remediation statement, detailing the works necessary so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including any controlled waters, shall be submitted to the LPA and agreed in writing with the LPA prior to any remediation commencing on site. Two copies of the remediation report shall be submitted to the LPA.

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2. Approved remediation works shall be carried out in full on site, under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the remediation works contamination is encountered that had not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA in accordance with the process laid out at points 1 – 3 above.

3. Upon completion of the remediation works, this condition shall not be discharged until further validation report has been submitted to, and approved by the LPA. The validation report shall include quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site.

REASON: To safeguard future occupants of the site in accordance with Policies CH3 and ENV10 of the Crawley Borough Local Plan 2015-2030 due to the fact that the submitted Desk Study, Site Investigation & Risk Assessment report identified areas of contamination and pollutant linkages that could represent a risk to human health.

21. The residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that they shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

22. The residential units shall not be occupied until design-stage SAP calculation summaries for the development, detailing a level of environmental performance consistent with the submitted Energy Statement with Appendices dated October 2020, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of environmental sustainability, in accordance with Policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

23. No works above ground level shall be carried out until full details of the PV solar energy scheme referred to in the submitted Energy Statement and Appendices dated October 2020 have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved solar energy scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development addresses energy efficiency and climate change, does not endanger the safe movement of aircraft or the operation of Gatwick Airport through glint and glare in accordance with Policies ENV6, ENV7 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

24. No works above ground level shall be carried out until a scheme to provide combined television reception facilities and superfast broadband for all flats hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

## INFORMATIVES

1. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit [www.crawley.gov.uk/cil](http://www.crawley.gov.uk/cil), email [development.control@crawley.gov.uk](mailto:development.control@crawley.gov.uk) or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:

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- Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
- A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
- Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

2. The water efficiency standard required under condition 21 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
3. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
4. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
5. The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a Temporary Traffic Regulation Order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.
6. 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. Thames Water 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 020 3577 9483 or by emailing [wwriskmanagement@thameswater.co.uk](mailto:wwriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
7. The applicant's attention is drawn to the advice provided by Environment Agency in their correspondence of 17th February 2020 stating the following:

'The applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/environmental-permit-check-if-you-need-one>) to establish whether a consent will be required.'

8. The applicant's attention is drawn to the Network Rail's guidance for developments within close proximity to the operational railway and the advice provided by Network Rail in their correspondence of 3rd March 2020 stating the following:

'Due to the close proximity of the proposed development to Network Rail land and the operational railway, Network Rail strongly recommends the developer contacts Network Rail's Asset Protection team via

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AssetProtectionLondonSouthEast@networkrail.co.uk with a view to enter into an Asset Protection Agreement to enable approval of detailed works to ensure the safety of the operational railway. The developer should make contact prior to any works commencing on site. More information can also be obtained from our website

<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/> '

9. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com). The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)
10. A formal application for connection to the water supply is required in order to service this development. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).  
Website: [southernwater.co.uk](http://southernwater.co.uk) or by email at: [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk)

## 1. NPPF Statement

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

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

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



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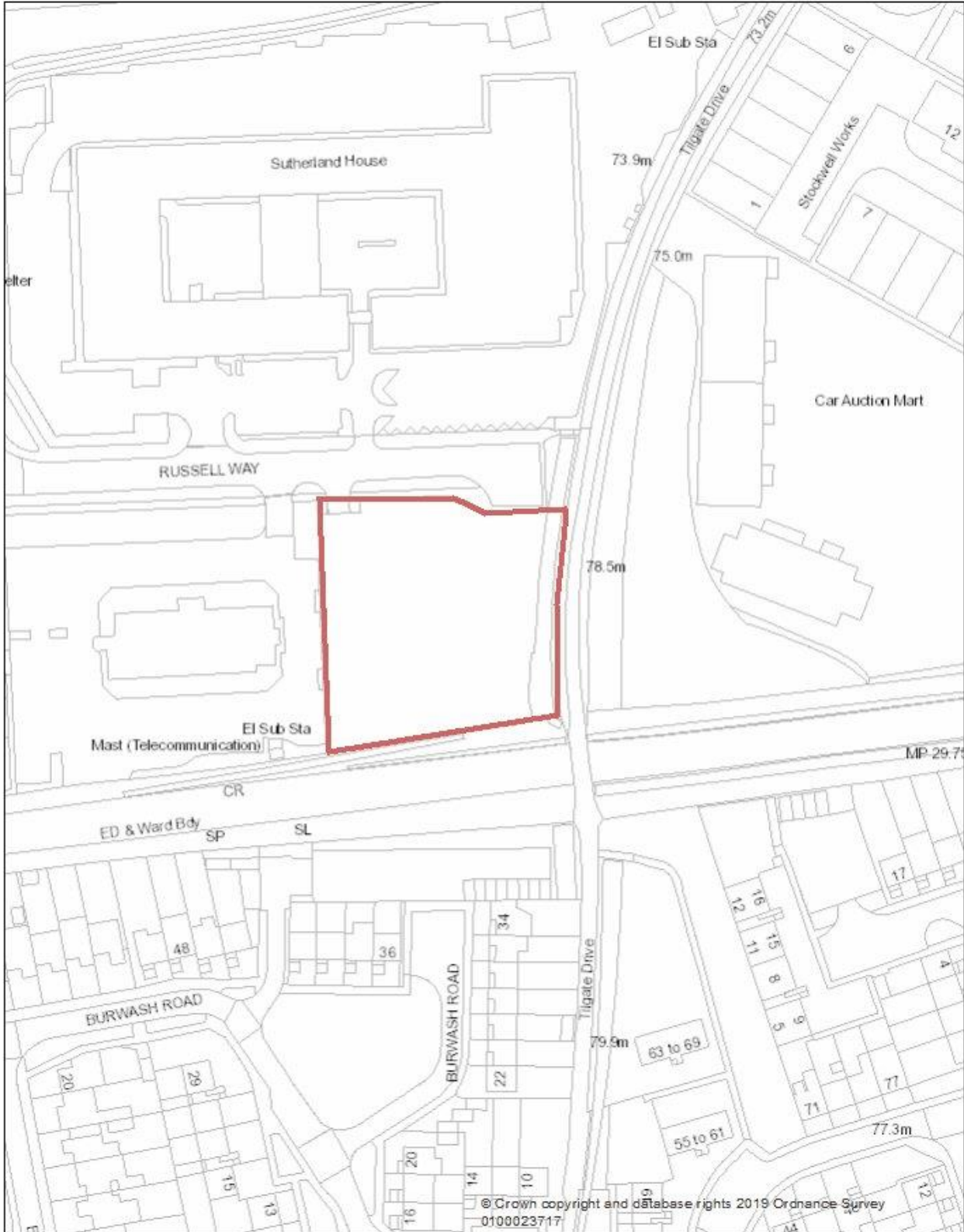


## ArcGIS Web Map



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

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# Agenda Item 7

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 8 February 2021  
REPORT NO: PES/359(c)

REFERENCE NO: CR/2020/0192/RG3

**LOCATION:** [BREEZEHURST PLAYING FIELDS, OFF BREEZEHURST DRIVE, BEWBUSH, CRAWLEY](#)  
**WARD:** Bewbush & North Broadfield  
**PROPOSAL:** ERECTION OF 85 AFFORDABLE HOUSES & FLATS, COMPRISING:  
18 X ONE BEDROOM FLATS  
38 X TWO BEDROOM FLATS  
9 X TWO BEDROOM HOUSES  
17 X THREE BEDROOM HOUSES  
3 X FOUR BEDROOM HOUSES  
ACCESS ROADS, CAR PARKING, SPORTS PITCH, OPEN SPACE & ASSOCIATED WORKS  
(AMENDED PLANS AND DESCRIPTION)

**TARGET DECISION DATE:** 22 July 2020

**CASE OFFICER:** Mr M. Robinson

**APPLICANTS NAME:** Crawley Borough Council  
**AGENTS NAME:** Bailey Partnership LLP Consultants

## PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
BDP-BPC-XX-00-DR-A 001	P01	Site Location Plan
BDP-BPC-XX-00-DR-A 002	P01	Existing Site Layout Plan
BDP-BPC-XX-00-DR-A 003	P05	Proposed Site Block Plan
BDP-BPC-XX-00-DR-A 004	P05	Proposed Site Layout Plan
BDP-BPC-XX-00-DR-A 005	P04	Proposed Site Roof Plan
BDP-BPC-XX-XX-DR-A 007	P03	Standard House Type Sections
BDP-BPC-XX-XX-DR-A 008	P03	Maisonette & Apartment Blocks Typical Cross SectionsSections.008.P02.pdf
BDP-BPC-XX-XX-DR-A 009	P02	Bin Store Plan, Section & Elevations
BDP-BPC-XX-00-DR-A 010	P04	Refuse Strategy Plan
BDP-BPC-XX-XX-DR-A 012	P05	House Type 2A Floor Plans & Elevations (2B-4P)
BDP-BPC-XX-XX-DR-A 013	P05	House Type 2B Floor Plans & Elevations (2B-4P)
BDP-BPC-XX-XX-DR-A 014	P05	House Type 3A Floor Plans & Elevations (3B-5P)
BDP-BPC-XX-XX-DR-A 015	P05	House Type 3B Floor Plans & Elevations (3B-5P)
BDP-BPC-XX-XX-DR-A 016	P03	House Type 4A Floor Plans & Elevations (4B-6P-S)
BDP-BPC-XX-XX-DR-	P03	House Type 4B Floor Plans & Elevations (4B-

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A 017		6P-R)
BDP-BPC-XX-XX-DR-A 018	P03	Apartment Block A - Ground & First Floor Plans (4x1B-2P & 4x2B-4P)
BDP-BPC-XX-XX-DR-A 019	P03	Apartment Block A - Second Floor & Roof Plans (2x1B-2P & 2x2B-4P)
BDP-BPC-XX-XX-DR-A 020	P05	Apartment Block A - East & West Elevations
BDP-BPC-XX-XX-DR-A 021	P05	Apartment Block A - North & South Elevations
BDP-BPC-XX-XX-DR-A 022	P05	Apartment Blocks B, C, D & E - Ground & First Floor Plans (2x1B2P & 4x2B4P)
BDP-BPC-XX-XX-DR-A 023	P05	Apartment Blocks B, C, D & E - Second Floor & Roof Plans (1x1B2P & 2x2B4P)
BDP-BPC-XX-XX-DR-A 024	P04	Apartment Blocks B, C, D & E - North & South Elevations
BDP-BPC-XX-XX-DR-A 025	P04	Apartment Blocks B, C, D & E - East & West Elevations
BDP-BPC-XX-XX-DR-A 026	P07	Maisonette Type A1 Floor Plans (4x2B-4P)
BDP-BPC-XX-XX-DR-A 027	P07	Maisonette Type A1 Elevations (4x2B-4P)
BDP-BPC-XX-XX-DR-A 028	P03	Street A - Elevations
BDP-BPC-XX-00-DR-A 029	P03	Street B - Elevations
BDP-BPC-XX-00-DR-A 030	P03	Street C - Elevations
BDP-BPC-XX-00-DR-A 031	P03	Street D (North) - Elevations
BDP-BPC-XX-00-DR-A 032	P03	Street D (South) - Elevations
BDP-BPC-XX-XX-DR-A 033	P04	Maisonette Type A2 Floor Plans (4x2B-4P)
BDP-BPC-XX-XX-DR-A 034	P04	Maisonette Type A2 Elevations (4x2B-4P)
1000005241-2-011	E	Proposed Parking Layout
1000005241-2-010	C	General Arrangement Plan
1000005241-2-060	C	Hard Landscaping Plan
1000005241-2-300	C	Soft Landscaping Plan
BDC BPC XX XX DR A 052	P01	Apartment Block A North & South Sectional Elevations
BDC BPC XX XX DR A 051	P02	Apartment Blocks D, C, D & E East & West Sectional Elevations
BDC BPC XX XX DR A 046	P03	House Types-NS-Plots 15, 16 & 17 Sheet 1
BDC BPC XX XX DR A 047	P02	House Types-NS-Plots 15, 16 & 17 Sheet 2
BDC BPC XX XX DR A 050	P02	House types-NS-Plots 40 & 41
BDP BPC XX XX DR A 011	P01	Bin Store 02 Units 50-58 & 68-78 Plan, Section & Elevations
BDC PBC XX XX DR A 048	P03	House types-NS-Plots 13 & 14-18 & 19
BDC BPC XX XX DR A 049 Rev	P02	House types-NS-Plots 38 & 39.049.P01.pdf

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## CONSULTEE NOTIFICATIONS & RESPONSES:-

- |    |                            |  |
|----|----------------------------|--|
| 1. | GAL Aerodrome Safeguarding | <b>No objection</b> subject to conditions to control landscaping and photovoltaics, also an informative regarding the use of cranes during construction. |
| 2. | Environment Agency         | <b>No comment</b> received.  |
| 3. | WSCC Highways              | <b>No objection.</b> –   |

Access - Most of the roads and footways within the site will be adopted and therefore subject to a subsequent S38 agreement. The narrowing of roads has been sought to reduce vehicle speeds. Lay-bys will create some visitor parking. The raised table on the southern “loop” has been designed to provide a different feel to the road with footways to provide space for pedestrians. Shared surfaces in the cul-de sacs are supported. The site has good pedestrian permeability and footways are acceptable. Issues raised by the Stage 1 Road Safety Audit can be agreed at the detailed S38 design stage.

*“Junction modelling was not required, as phase 1 data in 2015 showed there to be spare capacity with low RFC’s and queuing at the roundabout. This has been compared to an actual traffic count undertaken in 2019, and the results did not show an increase compared to the modelled 2015 flows. As such the additional 47 two-way vehicle movements in the AM peak and 41 during the PM peak, equates to just 30 two-way vehicles movements through each junction. This equates to less than 1 vehicle movement every two minutes, which WSCC agree would have a minimal impact on highway capacity.”*

Swept path analysis shows refuse vehicles can access and turn within the site acceptably.

Parking - The site will provide 141 spaces at a ratio of 1.66 spaces per dwelling. All the spaces are acceptable for use with all parking located next to the houses and flats they relate to. Visitor parking would also be evenly distributed throughout the site.

Electric Charging – It is recommended that 20% of all parking spaces with ducting provided at all remaining spaces where appropriate to provide ‘passive’ provision for these spaces to be upgraded in the future.

Cycle Parking – *“162 cycle storage spaces are provided within the private curtilages of each property, with an additional 20 allocated around the site in publicly accessible areas. The promotion of sustainable travel is an important part of the NPPF and the provision of, EVC points, good quality cycle storage and cycle paths to link into is served well by this development.”*

*“The proposed haul road around the sports pitch, shown in plan 1000005241-2-sk13-Rev B, shows how larger construction vehicles will access the site during construction phase. This is a good route as it will be kept clear of the existing residential dwellings however; a further swept path is required to show how vehicles will access the private access road from the public highway on Breezehurst Drive. A construction management plan will be conditioned to ensure this information is received.”*

The travel plan is acceptable.

Conditions to control the travel plan and construction management plan are recommended.

- |    |                                      |   |
|----|--------------------------------------|---|
| 4. | National Air Traffic Services (NATS) | <b>No objection.</b>  |
| 5. | Thames Water                         | <b>No objection</b> to foul or surface water proposals.   |
| 6. | Sussex Building Control Partnership  | <b>No comment</b> received.   |
| 7. | Police                               | <b>No objection.</b> Concerns regarding the lack of natural surveillance to the car parking areas for the flats adjacent to the A2220 can be addressed through the provision of CCTV and ensuring suitable lighting and planting. |

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8. Horsham District Council  
9. CBC Drainage Officer
10. CBC Property Division  
11. CBC Housing Enabling & Development Manager
12. CBC Planning Arboricultural Officer  
13. UK Power Networks  
14. CBC Environment Team  
15. CBC Contaminated Land  
16. CBC Environmental Health
17. Crawley Cycle & Walking Forum
18. High Weald AONB Unit
19. CBC Refuse & Recycling Team
20. Southern Water Ltd
21. Sport England
22. CBC Energy Efficiency & Sustainability  
23. Archaeology Officer  
24. Ecology Officer
25. WSCC Lead Local Flood Authority
26. CBC Housing  
27. CBC Env Health (AQMA)  
28. The Woodland Trust
- No objection**  
**No objection** subject to control of the detailed surface water drainage to be provided.  
**No comment.**  
**Supports** this policy compliant development to provide 100% affordable housing units.  
**No objection.**  
**No comments** received.  
**No comments** received  
**No objection**  
**No objection** to the proposals that would limit the impact of noise from the A2220 to acceptable levels. A condition is recommended to ensure the noise mitigation measures are implemented prior to occupation of the site and to require them to thereafter be maintained.  
**Comments** - The cycle store provisions for the flats is acceptable subject to the details. Visitor cycle parking should be to the front of the building. Cycle bypasses on roads requested.  
**Comments** that the development would be within the setting of the High Weald AONB and therefore needs to take into account the High Weald AONB Management Plan to ensure its setting is protected.  
**No objection** to the revised layout and bins stores proposed.  
**No objection.** The applicant will need to ensure the development does not adversely impact upon the existing water supply infrastructure. An informative recommended advising the applicant of the need for formal consent to connect to the water supply.  
**No objection** to the revised sports strategy subject to conditions to ensure the retained pitch and the pavilion are maintained and upgraded and further works are undertaken to mitigate the loss of the playing field. The completion of a S106 agreement to ensure off site works are undertaken and conditions to require on site works are recommended.  
**No objection** subject to conditions.  
**No objection.**  
**No objection** subject to a construction environment management plan, control over lighting and the provision of ecological enhancements.  
**No objection.** The acceptability of the surface water drainage to be determined by Crawley Borough Council.  
**No comment received.**  
**No objection** subject to conditions.  
**No comment** received.

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## NEIGHBOUR NOTIFICATIONS:-

12 to 16 Meridian Close;  
10, 12, 14, 16, 17, 18, 19, 20, 21, 23, 25, 27 and 29 Waterfall Crescent;  
1 to 15 Connemara House;  
9 to 23 (odd Nos) Douster Crescent;  
37 and 39 Stevenage Road.

The application was also by the erection of site notices around the site on 30<sup>th</sup> April 2020 and by the publication of an advertisement in the local press on 6th May 2020.

## RESPONSES RECEIVED:-

There have been objections from 29 people to the development raising the following issues:

### Highway:

- Increase in congestion on nearby roads from future residents and construction traffic.
- Not enough parking being provided will result in increases in parking on neighbouring roads.
- Access from Waterfall Crescent would not be safe.
- Development should have a new access.

### Open space

- Loss of open space not compliant with Councils standards for playspace.
- Loss of important open space for exercise, dog walkers and children.
- Open space is needed by Bewbush residents and as a town facility.
- Need to ensure access to bridge over A2220 to Buchan Park is maintained safely whilst construction is undertaken.
- Green space has value to the community.
- Will set precedent for building on playing fields.

### Visual Impact

- Adverse impact on tree lined access to Crawley.

### Neighbour Impacts

- Maisonettes too close to existing houses.
- Increased pollution from development.
- Loss of green space
- Pollution from noise, dirt and pollution during construction.
- Loss of light overshadowing from flats
- Loss of outlook.
- Building closer to A2220 will reduce noise reduction impacts of the open space.
- Increased noise from increased use of retained playing field.

### Crime

- Will result in increased crime.
- The new path is a concern as front gardens are already used as a cut through.
- Concern new path will be an alleyway and bring anti-social behaviour/crime.
- A new 3g pitch would result in increased anti-social behaviour and crime.

### Health

- Loss of open space will adversely impact upon physical and mental health.
- It will result in overcrowding at a time of social distancing
- More open space needed not less.
- Houses will need extensive sound proofing due to road.
- Air pollution for future residents.

### Housing Need

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- Why are 85 houses needed when they are being built at Forge Wood (1900) Heathy Wood Copthorne (500), west of Ifield (10,000) Woodgate, Pease Pottage (600), Kilnwood Vale (2500), The Boulevard and Moka nightclub?
- Affordable housing is not affordable.
- Construction costs will mean this housing is not affordable.
- Repair existing stock don't build these homes.

## Drainage and Flooding

- Will increase flooding in Bewbush.
- Improved sports field will flood and will not be useable in spring or winter.

## Green Issues

- Lack of electric car charging points.
- Impact on nature on site not considered.

## General

- Crawley already overpopulated.
- Too much housebuilding in the area with Kilnwood Vale and Rusper Road.
- Adverse impact on local schools, doctors and hospital etc.
- Adverse impact on water supply, internet and drainage.
- Can it be justified given economic future of town in doubt?
- It is being pushed through at a difficult time and people will not be able to attend a meeting.

## Non-Planning Issues

- Loss of property values.
- Loss of view over playing fields.
- Compensation sought as development not shown on searches or reported by estate agent.
- Where is Kilnwood Vale railway station?
- Better to keep existing market alive and not flood it with new houses.

There were also the following comments:

- The flats not being near existing homes is liked.
- Could a nice green area with trees/grass etc. be provided?
- Could a tree barrier be erected between the development and existing houses?
- Could metal railing remain?
- A consultation survey should be done for the area not just neighbouring houses.

TAG - Supports lifetimes homes. Some concern at the nature of the street furniture.

Metrobus – As the proposal is close to bus routes 10 and 200 it would like to discuss the Travel Plan.

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

This is a Crawley Borough Council and “major” planning application.

### **1. THE APPLICATION SITE:-**

- 1.1 The site in total is an area of approximately 3.3ha of public open space/playing fields situated towards the south-east corner of Bewbush. To the immediate north is Waterfall Crescent and Douster Crescent. To the east is Meridian Close, whilst to the west is Douster Brook and beyond this further playing fields open space to the south of Skelmersdale Walk. To the south running along the whole application site boundary is the A2220 Horsham Road dual carriageway.
- 1.2 The site itself is predominantly laid to grass as befits its use as a playing field. There is the purpose built two storey Breezhurst Community Pavilion (sports changing/storage and social facilities) on the north-west corner of the site located close to Douster Brook. The main point of access to the site is from the access road from Breezhurst Drive to the north-west. The access drive also provides serves the car park for users of the Pavilion/playing fields. A pedestrian path runs north to south along the western boundary to the east of the Douster Brook tree line and provides pedestrian access from Bewbush to Buchan Park (in Horsham District) to the south of the A2220 Horsham



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Road via a footbridge over the dual carriageway. Whilst this is not a public right of way it is owned by Crawley Borough Council and is an important and well used route.

- 1.3 The southern boundary with the A2220 is tree lined with a hedge running parallel and close to this boundary. At the eastern end of the southern boundary is the western end of an earth bund that also runs to the rear of Meridian Close.
- 1.4 At the eastern end of the site, are the remains of a ball fence, situated between the playing pitches and the rear gardens of the houses backing onto the site from Meridian Close.
- 1.5 To the north at the eastern end of the site, part of carriage way of Waterfall Crescent and a shared access/parking area runs parallel to the site beyond which are a number of recently erected houses that front onto the playing fields. At the far eastern end of Waterfall Crescent, the closest house has its side elevation facing the site, with its rear garden to the east. At the western end of Waterfall Crescent are two houses closer to and facing the site that do not have parking or the access between them and the site. At the western end to the north of the site in Douster Crescent are some more recently erected houses facing the site with parking and access to the front. The most westerly house has its side elevation facing the site with its rear garden to the west. Further to the west, north of the Breezehurst Community Pavilion is a three storey block of flats which are accessed via Douster Crescent to the north. There is a railing running along the north boundary of the site that prevents access from the Waterfall Crescent and Douster Crescent onto the site.
- 1.6 The site is the Breezehurst Drive Playing Fields, Housing and Open Space Site allocated for 65 dwellings mixed use recreation residential. (H2 – Key Housing Sites). A tiny section of the far south east corner of the site is shown as intersecting the Long Distance Visibility Splay from Bucks wood Drive. (CH8 - Important Views). The tree line along the southern boundary of the site with the A2220 Horsham Road is Structural Landscaping (CH7 – Structural Landscaping), and although within the built up area boundary it is also shown in the South of Broadfield into Buchan Hill Forest and Fringes Landscape Character Area (CH9 – Development Outside the Built-Up Area).

## **2. THE PROPOSED DEVELOPMENT:-**

- 2.1 It is proposed to erect the 85 x affordable housing houses, maisonettes and flats on the eastern half of the site, whilst retaining and improving playing field on the remaining western portion of the site to the immediate south of the Breezehurst Community Pavilion.
- 2.2 There would be two points of vehicular access into the site from Waterfall Crescent and non-vehicular access from Douster Crescent. The new roads proposed would have pedestrian footways on either one side of both sides of each road. The new streets would be narrowed at points and there would be raised road surfaces to limit vehicle speeds. A non-vehicular path is proposed from the western access point onto Waterfall Crescent to the retained playing fields to the west along the boundary with the existing development to the north. A non-vehicular path would also be provided from Douster Crescent to the A2220 to the south that would then extend to the west along the southern boundary of the retained playing field to the footbridge over the A2220.
- 2.3 Nearly all the trees on site would be retained with 3 trees being removed along the A2220 to the south. A section of hedge close to the southern boundary would also be removed. All houses and maisonettes would have a tree within each garden and there would be other new trees provided along the streets, in the amenity land for the flats and between the residential development and the retained playing fields.
- 2.4 The development would comprise 18 x one bedroom flats and 38 x two bedroom flats. These would be within 4 three storey blocks (B,C,D and E) close to the southern boundary of the site with the A2220 Horsham Road, a single three storey block (A) at the centre of the northern end of the site and 2 x part two/part three storey maisonette blocks at the western end which would face the retained playing field to the west.
- 2.5 The remaining parts of the site would comprise two storey houses, arranged in pairs of semi-detached properties and short terraces. There would be 9 x two bedroom houses, 17 x three bedroom houses and 3 x four bedroom houses. Each house would be provided with a rear garden

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and off road parking. Each house would be provided with access to the rear garden and an outbuilding for cycle storage.

- 2.6 Each flat would be provided with a balcony with an area of at least and there would be some additional amenity space around the buildings. Communal cycle and bin storage are proposed for the blocks of flats. The 8 x two bedroom maisonettes would have private rear garden areas and out buildings for cycle parking.
- 2.7 There would be 140 car parking spaces provided in total, 50 spaces within the curtilages of the 29 houses, and 80 spaces within the communal parking areas for the flats and maisonettes. The remaining 10 car-parking spaces would be in laybys on the new streets. Eight of the 9 x two bedroom houses would have 1 car parking space and 1 of the two bedroom houses would have two car parking spaces. The 20 x three and four bedroom houses would have two car parking spaces each.
- 2.8 The four blocks of flats (B,C,D and E) to be sited close to the boundary with Horsham Road to the south would form part of the noise attenuation measures for the site. The flats within these blocks do not therefore have outlook to the south and all the main windows/ balconies would therefore face towards the north-east, north and north-west. The four blocks of flats would also have substantial brick walls incorporating communal bin storage buildings in between them that would provide additional acoustic protection to future residents further north within the proposed development. The communal parking areas and amenity space for these flats would be located to the south of the buildings, close to the boundary with A2220 Horsham Road.
- 2.9 The five blocks of flats would be 3 storeys in height with various angled walls resulting in irregularly shaped pitched roofs. The houses would be two storeys in height, would be laid out in semi-detached and short terraces of fairly traditional character, similar to houses in Waterfall Crescent and Douster Crescent. The maisonettes would be blocks of three storeys in the centre rising from two storeys at the northern and southern ends.
- 2.10 The buildings would be predominantly finished in brick with coloured cladding feature panels. Pitched roofs would be red or grey tiled with some photo voltaic panels. Windows would be white or grey upvc. The metal balconies would have a powder coated finish with glazed panels.
- 2.11 In addition to the plans received, the following documents were also considered during the determination of the application:
  - Design and Access Statement
  - Planning Statement
  - Transport Assessment
  - Road Safety Audit Stage 1 Report and Response
  - Travel Plan and Parking Arrangements
  - Affordable Housing Statement
  - Affordable Housing Scheme
  - Air Quality Assessment
  - Noise Assessment
  - Agronomic Assessment Report
  - Arboricultural Impact Assessment and Method Statement
  - Tree Survey and Recommended Tree Works
  - Archaeological Assessment
  - Energy Statement
  - Flood Risk Assessment
  - Ground Contamination Risk Assessment
  - Geotechnical & Ground Contamination Risk Assessment
  - Regulated Combined Mining Search
  - Utilities Statement
  - Statement of Community Involvement

### 3. PLANNING HISTORY:-

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## 3.1 PLAYING FIELDS BREEZEHURST DRIVE, BEWBUSH, CRAWLEY

CR/2007/0744/RG3 - In 2008 planning permission was granted for the ERECTION OF TWO STOREY CHANGING PAVILION/SOCIAL CENTRE. ACCESS ROAD AND MINOR MODIFICATIONS TO EXISTING CAR PARK LAYOUT. This is the permission granted for the erection of the Breezehurst Community Pavilion situated in the north-west corner of the application site.

## 3.2 FORMER BEWBUSH LEISURE CENTRE SITE, BREEZEHURST DRIVE, BEWBUSH, CRAWLEY

CR/2013/0166/FUL - In 2013 the REDEVELOPMENT OF THE FORMER BEWBUSH LEISURE CENTRE SITE TO PROVIDE 112 RESIDENTIAL UNITS WITH ASSOCIATED WORKS AND ACCESS was granted planning permission. This comprises the development to the immediate north of this site (Waterfall Crescent and Douster Crescent).

3.3 The application site was allocated in December 2015 in the Crawley Borough Local Plan 2015-2030 as a Key Housing Site.

## 4. PLANNING POLICY:-

### National Planning Policy Framework (2019)

4.1 The updated National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. The following sections are of particular relevance to this application:

- Section 2 – ‘Achieving sustainable development’ states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
- Section 4 – ‘Decision making’ seeks a positive and creative approach to decisions and supports the use of pre-application discussions. It also advises applicants to consult with other bodies and the local community before submitting their applications.
- Section 5 – ‘Delivering a sufficient supply of homes’ emphasises the need for the planning system to deliver a sufficient supply of homes including affordable housing and the need for LPAs to identify developable sites and to maintain and monitor the supply of housing against the housing requirement.
- Section 8 – ‘Promoting healthy and safe communities’ seeks to ensure that planning policies and decisions seek to achieve healthy, inclusive and safe places that promote social interaction, that are safe and accessible so that crime and disorder and fear of crime do not undermine quality of life and which enable and support healthy lifestyles. Planning decisions should seek the provision and use of shared and community facilities and guard against their loss. Planning policies and decisions should promote public safety and take into account wider security and defence requirements. With specific regard to sports facilities and open space, Section 8 states: *“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
  - a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
  - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
  - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

It also seeks to protect and enhance public rights of way

- Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development, including potential impacts on the existing transport network, opportunities for sustainable modes of transport and the need to focus development in sustainable locations. Paragraph 110 states that development should give priority first to pedestrian, cycle and public transport movements, address the need of people with disabilities in relation to all transport,

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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.

- Section 10 – ‘Supporting high quality communications’ stresses the need for development to incorporate advanced, high quality and reliable communications infrastructure, including full fibre broadband.
- Section 11 – ‘Making effective use of land’ states 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. Paragraphs 122 and 123 seek to ensure efficient use though achieving appropriate densities on each site.
- Section 12 - ‘Well designed places’ states that 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.”* 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 wellbeing, 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.”*

Paragraphs 128 and 130 set out that design quality should be considered throughout the evolution and assessment of the proposals and permission refused for development of poor design.

Paragraph 130 also emphasises that design quality should not be reduced between the granting of permission and completion.

- Section 14 – ‘Meeting the challenge of climate change, flooding and coastal change’ seeks to ensure that the planning system supports the transition to a low carbon economy to address climate change, radically reduce greenhouse gas emissions and address flood risk and resilience. Renewable and low carbon energy, including decentralised local energy sources, should be supported. Major developments should generally incorporate sustainable drainage systems. Paragraphs 155-165 also seek to site inappropriate development away from areas at risk of flooding and ensure that development does not increase flood risk elsewhere. Major development should incorporate sustainable drainage systems.
- Section 15 – ‘Conserving and Enhancing the Natural Environment’ states that development should contribute to and enhance the natural environment, by providing net gains for biodiversity and protecting trees and woodland. Development resulting in the loss or deterioration of irreplaceable habitats, such as ancient woodland, should normally be refused. *“Great weight should be given to conserving and enhancing landscape beauty in National Parks, the Broads and Areas of Outstanding Natural beauty, which have the highest status of protection in relation to these issues.”* 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.

## Crawley Borough Local Plan 2015-2030 (Local Plan).

4.2 The following policies from the Crawley Borough Local Plan (adopted December 2015) are most relevant to the proposal:

- 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

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considering development proposals the Council will take a positive approach to approving development which is sustainable.

- 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.
- CH2 (Principles of Good Urban Design) states that in order 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,
  - (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”.
- CH3 (Normal Requirements of All New Development) states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- CH4 (Comprehensive Development and Efficient Use of Land) states that development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.
- 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. Residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements.
- CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- CH7 (Structural Landscaping) requires areas identified as Structural Landscaping to be protected and enhanced where appropriate.
- 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. A very small corner of the south east corner of site is within the Long Distance View Splay from Buckswood Drive.
- CH9 (Development Outside the Built Up Area) seeks to ensure that Crawley’s compact nature and attractive setting is maintained by: grouping development with existing buildings, being located to avoid the loss of important on and off site views, reflecting local character, minimising the impact from lighting, ensuring development is not visually prominent in the landscape, ensuring development does not generate unacceptable noise / disturbance or inappropriate levels of traffic on rural roads and does not introduce a use incompatible with the countryside. It specifically states for the South of Broadfield and Buchan Hill Forest Fringe Landscape Character Area that the area is valued for its quiet recreational opportunities and *“The green fingers and local nature reserve will be conserved as they provide existing green infrastructure links with potential for improvement to accessing the countryside and wildlife corridors”*. Proposals should also not conflict with the High Weald AONB Management Plan
- CH10 (High Weald Area of Outstanding Natural Beauty). The Council will conserve and enhance the natural beauty and setting of the High Weald AONB having regard to its Management Plan.
- CH11 (Rights of Way and Access to the Countryside). Public rights of way should be conserved and development should not detract from their character.

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- H1 (Housing Provision). The Council will positively consider proposals for the provision of housing to meet local housing needs, ensuring that town-cramming or an unacceptable impact on the planned character or neighbourhoods or residential amenity do not result.
- 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 encourages residential uses in the town centre, identifying the application site as a broad location for housing. This site is identified as a deliverable site for housing (65 dwellings) and recreation, including the retention of good quality pitch provision to the south of the pavilion, new/retained changing facilities primarily for Skelmersdale Walk Playing fields and off-site allotment provision, with specific requirements set out in full in a Development Brief.
- 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. 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.
- 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.
- ENV1 (Green Infrastructure) seeks to protect and enhance Crawley's multi-functional green infrastructure network
- ENV2 (Biodiversity) states that all development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- ENV4 (Open Space, Sport and Recreation) states:
  - *"Proposals that remove or affect the continued use of existing open space, sport and recreational spaces will not be permitted unless:*
    - a) *An assessment of the needs for the open space, sport or recreation clearly show the site to be surplus to requirement: or*
    - b) *The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
    - c) *The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss".*
- Whilst a site may be surplus to requirements as open space it may still be of environmental or cultural value; or the site's development may have unacceptable visual or amenity impact, or adversely affect its wider green infrastructure functions, including for climate change mitigation, therefore, applicants should also carefully consider the character and other environmental policies in the plan."*
- ENV5 (Provision of Open Space and Recreational Facilities) states that 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.
- 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 meet the strengthened on-site energy performance of Building Regulations.
- 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.
- ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- 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.
- ENV10 (Pollution Management and Land Contamination) states 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,

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and ensuring the treatment and/or removal of all such contaminants and materials prior to the commencement of development.

- 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 which provides detailed and specific guidance as to how Policy ENV11 will be applied.
- ENV12 (Air Quality) states that development proposals that do not have a material negative impact upon air quality will normally be permitted. The policy seeks assessment of the air quality implications of appropriate schemes and, for proposals within an Air Quality Management Area, demonstration of mitigation measures.
- 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. 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.
- IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed and connected to high quality communications infrastructure.
- 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. Developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety.
- 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.

## Draft Crawley Borough Local Plan 2021-2037

4.3 The Draft Crawley Borough Local Plan 2021-2037 is the subject of its Submission Publication Consultation (Regulation 19) from the 6<sup>th</sup> January 2021 until 17<sup>th</sup> February 2021 and therefore limited weight should be given to the following applicable policies:

- SD1: Presumption in Favour of Sustainable Development
- SD2: Enabling Healthy Lifestyles and Wellbeing
- CL1: Neighbourhood Principle
- CL2: Making Successful Places: Principles of Good Urban Design
- CL3: Movement Patterns, Layout and Sustainable Urban Design
- CL4: Compact Development – Layout, Scale and Appearance
- CL5: Development Briefs and Masterplanning
- CL6: Structural Landscaping
- CL7: Important and Valued Views
- CL8: Development Outside the Built Up Area – specifically South of Broadfield into Buchan Hill Forest and Fringes
- CL9: High Weald Area of Outstanding Natural Beauty
- DD1: Normal Requirements of All New Development
- DD2: Inclusive Design
- DD3: Standards for All New Dwellings (including conversions)
- DD4: Tree Replacement Standards
- OS1: Open Space, Sport and Recreation
- OS2: Provision of Open Space and Recreational Facilities
- OS3: Rights of Way and Access to the Countryside
- IN1: Infrastructure Provision
- IN2: The Location and Provision of New Infrastructure
- IN3: Supporting High Quality Communications
- H1: Housing Provision
- H2: Key Housing Sites
- H3: Housing Typologies

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- H3f: Open Spaces
- H4: Future Housing Mix
- H5: Affordable Housing
- G11: Green Infrastructure
- G12: Biodiversity Sites
- G13: Biodiversity and Net Gain
- SDC1: Sustainable Design and Construction
- SDC2: District Energy Networks
- SDC3: Tackling Water Stress
- EP1: Development and Flood Risk
- EP4: Development and Noise
- EP5: Air Quality
- EP6: External Lighting
- ST1: Development and Requirements for Sustainable Transport
- ST2: Car and Cycle Parking Standards

## Breezehurst Drive Playing Fields Development Brief (adopted June 2018)

- 4.4 The Borough Council has produced and adopted a development brief for the current application site. The brief forms a non-statutory planning guidance document and was produced to supplement the guidance provided in Policy H2 Local Plan in relation to the detailed issues to be addressed in respect of any development proposals for this site. The Brief specifically covers the following three Key Policy Directions:
- Residential Development
  - Open Space Provision
  - Green Infrastructure

It also includes guidance on:

- Flood Risk and Sustainable Drainage – Douster Brook
- Water Stress
- Utilities and Drainage
- Social Infrastructure
- Highways and Access
- Noise
- Air quality and Emissions Assessment
- Long Distance View Splay
- Community Consultation
- Developer Contributions and Community Infrastructure Levy

## Supplementary Planning Guidance and Documents

- 4.5 The following Supplementary Planning Documents and Guidance Notes are also relevant to this application:

Planning and Climate Change (adopted October 2016) – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.

Urban Design (adopted October 2016) – With specific reference to Crawley's character, the SPD addresses in more detail the seven key principles of good urban design identified in Local Plan Policy CH2. The principles cover Character, Continuity and Enclosure, Quality of the Public Realm, Ease of Movement, Legibility, Adaptability and Diversity. Annex 1 of the document sets out the car and cycle parking standards for the Borough.

Green Infrastructure (adopted October 2016) – Sets out the Council's approach to trees, open space and biodiversity. It also includes the justification and calculations for tree replacement and new tree planting under Policy CH6. A contribution of £700 per tree is sought for each new dwelling and to cover net tree loss where re-provision is not possible on the application site.



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Affordable Housing (adopted November 2017) – This SPD includes further guidance on affordable housing policies within the Local Plan.

Developer Contributions Guidance Note (adopted July 2016) Following the introduction of the Community Infrastructure Levy, this guidance note sets out the Council's approach to securing contributions towards infrastructure provision.

## Community Infrastructure Levy

4.6 The Crawley CIL Charging Schedule has been in effect since 17 August 2016 and is relevant to this application as the proposal would create new dwellings.

## **5. PLANNING CONSIDERATIONS:-**

5.1 The main considerations relating to this application are:

- Principle of the development including the loss of playing fields
- Affordable Housing and Housing Mix
- The impact upon nearby occupiers amenities
- The acceptability of the accommodation for future occupiers including noise
- Design and the impact of the development upon visual amenity
- The impact upon the area outside the built up area boundary (South of Broadfield into Buchan Hill Forest and the High Weald AONB).
- Highways, transport and the operational requirements of the site
- Sports and open space provision
- Sustainability
- Drainage and flood risk
- Ecology and trees
- Crime and anti-social behaviour
- Other issues

## Principle of the development including the loss of playing fields

5.2 It has been identified that the quantity of playing fields in Bewbush is in excess of that required for the neighbourhood, but that there is a deficiency in the quality of the playing field provision. As the site is therefore effectively surplus to need it has been allocated in the Crawley Borough Local Plan 2015-2030 as a Key Housing Site to provide 65 dwellings, good quality playing pitch provision to the south of the pavilion, with improved playing pitch provision off-site (in this case at Skelmersdale Walk playing fields to the west), and consideration of allotment provision off site. Further details of the requirements are set out in the Breezehurst Drive Development Brief. The development of this surplus site will not therefore set a precedent for the development on open space elsewhere within Crawley.

5.3 The applicant has demonstrated that the site can accommodate the improved playing pitch provision (including additional drainage works) to the south of the Breezehurst Pavilion, and that monies are being made available to improve the provision of other sports facilities in Bewbush (Skelmersdale Walk) to mitigate the impact of the loss of the playing field. Sport England has agreed that the proposals to enhance the existing retained playing field and other off site works (including on going maintenance) are acceptable and it has now therefore withdrawn its initial objection to the application subject to appropriate conditions and a Legal Agreement being in place to ensure that the works proposed are undertaken. The applicant has also confirmed that provision will be made to improve the provision of allotments off site. This would also be subject to control through the provisions of a Legal Agreement.

5.4 The development proposed would provide 85 affordable housing units, 20 more than identified in the Local Plan. The increased number of dwellings is a consequence of the 4 blocks of flats proposed close to the southern boundary designed to provide an essential level of acoustic screening that would enable the remainder of the site to be developed. The consideration of this issue will be set out in detail in the section titled "*The acceptability of the accommodation for future*

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*occupiers including noise*” below. The report will also demonstrate that the dwellings proposed can be policy compliant with regards other material considerations, and it is considered that the increase in the number dwellings on the site above the figure in the Local Plan is acceptable in principle.

- 5.5 It is therefore considered that as the development would comply with the requirements set out in the Breezehurst Development Brief and policy H2 of the Local Plan, then the loss of the playing field and the erection of the number of dwellings proposed is acceptable in principle.

## Affordable Housing and Housing Mix

- 5.6 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. 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 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need. Payment in lieu will only be accepted in exceptional circumstances.

- 5.7 In this case the applicant is Crawley Borough Council and this development is proposing a 100% affordable scheme, i.e. 85 affordable units. It thus exceeds the affordable housing requirements.

- 5.8 Policy H3 requires housing developments to provide a mix of dwelling types and sizes to address local housing needs and market demands. The scheme would provide 18 x one bed 2 person flats (21%), 47 x two bed flats/houses (55%), 17 x three bed houses (20%) and 3 x four bedroom houses (4%). The proposed mix of dwelling types including some larger houses is considered acceptable on this site and would comply with the mix of housing sought by policy H3.

- 5.9 The Housing Enabling and Development Officer states that:  
*“The Council’s Strategic Housing Services is in full support of this proposal to develop this allocated site for affordable housing, addressing a priority need in the borough, and far exceeding Council’s policy requirements.*

*Throughout the design process the applicant has consulted with Strategic Housing Services at every stage to ensure that the mix of house types directly addresses local housing needs, with a strong emphasis on family accommodation well suited to this neighbourhood setting.*

*While affordable rent tenure remains the Council’s priority tenure, there will be further consideration for introducing an element of shared-ownership into the scheme, in consultation with Strategic Housing Services, aimed at addressing this form of affordable tenure, which also has an evidenced need.”*

- 5.10 With 100% of the housing being affordable and an acceptable housing mix for this development it is therefore in compliance with policies H3 and H4 of the Crawley Borough Local Plan.

## The impact upon nearby occupiers’ amenities

- 5.11 The use of the site for residential along with the retention of the playing field is considered acceptable in this residential area in terms of the noise/disturbance and the development would not result in significant air or water/ground pollution. The primary considerations in regard to the impact on neighbouring/nearby occupiers is the visual impact of the dwellings in terms of massing, light, outlook and privacy.

- 5.12 As this is a relatively large site, the report will start with a consideration of the impact upon the houses in Meridian Close to the east of the site and then moving around to Waterfall Crescent to the north and finishing with the impact upon Douster Crescent. As the site is separated from closest boundaries of houses in Broadfield by the busy Horsham Road dual carriageway, it is not considered that there would be an adverse impact upon the occupiers of these houses to the south.

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- 5.13 No 12 Meridian Close is the closest house to the site to the east. The main outlook of this dwelling is north to south. This house has been extended to its side to within approximately 1m of the site boundary with a single storey side extension that appears to be used to undertake hairdressing. The front of the house faces onto the side elevation of the southern end of a small block of garages about 5m away. The closest house proposed would be plot 05, a two bedroom semi-detached house. The closest facing 1<sup>st</sup> floor window in this house would serve a bathroom, with a bedroom window further to the west. The house would be located 5m away from the original north-west corner of no.12 which has a 1<sup>st</sup> floor bedroom and ground floor living room windows facing north closest to the site. The acute angle that would result between the windows of this house and closest bathroom window in plot 05 would prevent any harmful overlooking and a loss of privacy. In terms of the impact upon outlook and dominance, whilst the side elevation of plot 05 would be visible, the outlook to the front of no. 12 Meridian Close is primarily towards the side elevation of the garage block. It is therefore considered that whilst plot 05 will have an impact upon the occupiers of this dwelling, the impact would not be harmful given the existing context.
- 5.14 To the rear, the three storey block of flats (Block E) would be 21m away from the closest part of the rear elevation of this house at an angle. The block of flats closest balconies would be approximately 24m from the rear elevation. The Urban Design SPD identifies that development over one storey in height that intersects a 60 degree line drawn from a habitable window can indicate that a development would result in harm to occupiers amenities. The block of flats would intersect a 60 degree line drawn from the closest window on the rear elevation of this house. It is however considered that the 24m distance between the block of flats and no 12 Meridian Close, at an angle, with the intervening, landscaping, parking and access would not result in an overbearing impact, significant overshadowing or a loss of privacy to the occupiers of this dwelling.
- 5.15 Numbers 13 to 16 Meridian Close all have their rear gardens adjoining the east boundary of the site, with facing living room and bedroom windows. Their rear gardens are approximately 9m in length. Houses plots 03 and 04 would be the closest two storey facing houses to these neighbours, with 14m long rear gardens. As there is also a 1m gap between the application site and the rear boundaries of these houses, the resultant 24m separation distance would comply with the minimum 21m separation distance between rear facing two storey elevations recommended in the Urban Design SPD. House plot No.5 would have a north facing elevation that would overlook the west end of the rear garden of no 13 Meridian Close. This plot would be orientated at 90 degree angle to this house and would be approximately 11m away at its closest point at an angle and would be well screened by the existing garage block. There would be no direct overlooking and the separation distance would comply with the guidance in the Urban Design SPD for a relationship with a two storey side elevation if it was directly behind no 13 Meridian Close's rear elevation. The impact of house plot no.5 on these neighbouring occupiers would therefore comply with the guidance in the Urban Design SPD, and it would be acceptable.
- 5.16 It is therefore considered that the impact upon outlook, lighting and privacy on the occupiers of the occupiers of the house in Meridian Close would be acceptable.

## Waterfall Crescent

- 5.17 In the north east corner of the site, two storey semi-detached house plot 01 would project 2m forwards of no 19 Waterfall Crescent and there would be approximately 5.5m separation between the facing side elevations of these houses. Both 19 Waterfall Crescent and proposed house plot 01 would have east/west orientations. The side elevation of plot 01 would therefore face the side elevation of 19 Waterfall Crescent, however, the development would not result in windows serving habitable rooms facing each other. The relationship between the two houses is fairly typical and notwithstanding the 2m forward projection of house plot 01, the separation distance between them would prevent harm to the amenities of the occupiers of the existing house. House plot 09, would be 17m to the south-west of no.19 Waterfall Crescent and at an angle. There would be also be an intervening road and the front elevation of no.19 Waterfall Crescent is already in the public domain. The impact from house plot 09 on the occupiers of this dwelling would also be acceptable.
- 5.18 House plot 09 would have its side elevation facing no.10 and no.12 Waterfall Crescent that would be 19.5m to the north across the existing intervening highway. There would not be any facing habitable windows in plot 09. The level of separation would comply with the recommended 10.5m

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distance to a side gable, and the impact on the amenities of these neighbouring occupiers would therefore be acceptable.

- 5.19 A three storey block of flats (Block A) comprising flats plots 20 – 31 would be situated 15m from the south facing side elevation of no. 20 Waterfall Crescent, with the highway in between. The building would not intersect a 60 degree line drawn from either the closest front/west or rear/east facing elevations that contain the primary habitable room windows. In terms of massing/dominance/light, the impact from these flats on no.20 Waterfall Crescent would comply with the guidance in the Urban Design SPD. There would be north facing bedroom windows in the flats on all three floors and the upper floor windows would have a view overlooking the rear garden of no. 20 Waterfall Crescent at a 90 degree angle, with no views into rear facing windows. It is considered that with the orientation of the respective buildings, the 15m separation distance and with an intervening road, there would not be a harmful loss of privacy to the occupier's amenities.
- 5.20 House plot 39 would be over 25m at an angle from the front elevation of no.20 Waterfall Crescent with an intervening road, this level of separation is considered adequate and complies with the Urban Design SPD.
- 5.21 In regard to the impact on no 18 Waterfall Crescent to the north east of the flats (Block A), as there would be a separation distance of approximately 23m, at an angle, between the closest corner of the flats, and the intervening road, with windows being further away and not having a direct views, it is considered there would not be harm to the amenities of the occupiers of this house.
- 5.22 With regards to the impact upon 23-29 Waterfall Crescent to the north of the two storey house plot 39, there would be a separation of at least 20m with intervening parking, access area and footpath. The front of these houses would face the side elevation of plot 39 which has no facing primary habitable room windows in its elevation. It is considered that the relationship complies with the 10.5m separation distance recommended between an elevation facing a two storey side elevation, and the impact upon the amenities of the occupiers of these houses would therefore be considered to be acceptable.
- 5.23 The impact upon 21 Waterfall Crescent will be considered along with 17 Douster Crescent below.

## Douster Crescent

- 5.24 In respect of no.17 Douster Crescent and the adjoining no. 21 Waterfall Crescent, both are situated to the north of the site and have a north/south orientation. Unlike the houses to the immediate east and west, they are set back from the site boundary only by their front gardens which are approximately 7.5m long. To the south east, house plot 39 would be 20m away from the corner of the front elevation of no. 21 Waterfall Crescent at an angle, and with the intervening footpath and parking area to the front of 23-29 Waterfall Crescent, there would not be a harmful impact upon the amenities of occupiers of this dwelling. To the south, the two storey houses plots 40 and 41, would be approximately 28m away. This would comply with the 21m separation recommended between facing rear elevations (this is front to rear so the front elevation is already subject to public view), and it is considered the impact upon the amenities of these houses would therefore be acceptable. To the south west 25m away would be the closest corner of the building comprising maisonettes plots 42-45. At this point it would be two storeys in height, rising to three storeys in its two central bays. It is considered that the separation distance, angle and intervening parking area, access and new footpath, would not result in this building causing harm to the amenities of these two houses.
- 5.25 Finally with regard to numbers 9-15 and 19 Douster Crescent. Only no.9 Douster Crescent would directly face the maisonettes plots 42-45. The outlook from the existing houses 9-15 would be across the parking and access area, and the new proposed east-west footpath. The existing neighbouring houses would be at least 21m from the two storey north elevation of these proposed maisonettes. This separation distance would comply with the guidance in the Urban Design SPD for two storey facing rear elevations, and would be significantly in excess of the 10.5m separation distance recommended between an existing elevation and a two storey side elevation. The impact upon this and the other houses facing towards the site to the north would therefore be considered to be acceptable.

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- 5.26 As there would be no change to the site around the Breezehurst Community Pavilion, except for the provision of a footpath, it is not considered that there would be any material change to the relationship between the site and the Connemara House flats to the north.

## Other matters

- 5.27 During construction a haul route to the site is proposed across the retained playing field from the access/parking for the Breezehurst Community Pavilion to the north west of the site. This should prevent most of the traffic from trying to access the site from Waterfall Crescent or Douster Crescent, and will form a part of the construction management plan for the development. Whilst the Local Planning Authority cannot control vehicles lawfully using a highway, it is clear that the applicant has sought to minimise the impact on nearby residents. It is therefore recommended that the development be subject to control through a condition to require the development to be undertaken in accordance with the Construction Management Plan to mitigate the potential impact upon nearby occupiers and the operation of the highway. There are also controls in the Environmental Protection Act 1990 in relation to protecting the environment of residents that would be monitored and enforced by the Environmental Health team.

## The acceptability of the accommodation for future occupiers including noise

### Noise

- 5.28 A major consideration as to the acceptability of developing this site, is addressing the noise issues that arise from the close relationship with Horsham Road dual carriageway to the south which if not mitigated, would result in a significant proportion of the site suffering noise that would be injurious to the health of future residents. The development has therefore been designed to mitigate this impact. The four blocks of flats (Blocks B,C,D and E) close to the southern boundary with Horsham Road, have been designed to protect the amenities of occupiers of the rest of the site to the north as well as their own occupants from noise. These four blocks therefore do not have any windows to habitable rooms facing south, and the north-east, north and north-west facing elevations of these block contain vast majority of the windows and balconies providing the outlook and light to these units. The development also proposes significant brick walls between the flats and from the western side of block at the western end of the site towards the A2220. The houses and maisonettes in the northern two thirds of the site have also been aligned and would be provided with significant boundary walls to mitigate noise impacts.
- 5.29 The Councils Environmental Health Officer has commented that the development as designed would mitigate the impact from noise from the road and, subject to ensuring the noise mitigation measures are implemented prior to the occupation of the dwellings, there is no objection in regard to the impact of noise on future occupiers.
- 5.30 It should be noted that as a consequence of ensuring the noise environment can be made acceptable for future occupiers this has resulted four blocks of flats (Blocks B, C, D and E) being proposed to provide acoustic screening to the wider site as a barrier block. This in turn has effectively resulted in an increase in the number of units on site above that proposed in the Local Plan.

### Standard of accommodation

- 5.31 All of the houses, maisonettes and flats proposed would be provided with floorspace that would comply with the requirements of policy CH5 of the Local Plan and the Nationally Described Space Standards as demonstrated here:

Dwelling type	Floor-space provided	Nationally Prescribed Requirement	Amenity space provided	Urban Design SPD Amenity Space Recommendation
1 Bedroom 2 person flat	50sqm	50sqm	6 x 4.8sqm 12 x 4.7sqm	5sqm

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2 Bedroom 4 person flat	70sqm	70sqm	24 x 4.2sqm 3 x 5.3sqm	5sqm + 2sq for additional occupants =7sqm
2 Bedroom 4 Person maisonette	79sqm	79sqm	1 x 60sqm garden + 7.3sqm balcony 1 x 63sqm garden 4 x 70sqm gardens two also have 6.6sqm balconies. 1 x 76sqm garden + 7.3sqm balcony 1 x 76sqm garden.	75sqm
2 Bedroom 4 Person House	79sqm	79sqm	All (9) 75sqm or greater	75sqm
3 Bedroom 5 Person House	93sqm	93sqm	2 x 81sqm 17 x 90sqm or greater	90sqm
4 Bedroom 5 Person House	106sqm	106sqm	All (3) over 90sqm	90sqm

5.32 Each habitable room would also be provided with a window or glazed door to provide an outlook and natural light. The Environmental Health Department has confirmed that occupiers of the development would not be subject to unacceptable levels air pollution.

## Amenity Space

5.33 Immediately to the west of the housing would be the playing field to the south of the Breezehurst Community Pavilion. Further to the west of this are the Skelmersdale Walk playing fields and to the south of the A2220 Horsham Road is Buchan Country Park.

5.34 In terms of amenity space, each flat would be provided with some form of provision whereby the smallest dimension would not measure less than 1.5m. Ground floor flats in each of the blocks are also indicated to have access onto the amenity land adjacent to their flats. In regard to the 1 bedroom flats, the shortfall in space would be between 0.2sqm-0.3sqm below the recommendation of 5sqm for flats with 1-2 occupants. There would be a larger shortfall of between 1.7sqm and 2.8sqm from the 7sqm of amenity space recommended for the two bedroom flats that could be occupied by up to 4 persons. In addition the four blocks of flats to the south would also have some amenity space to both the front (north) and rear (south), although it is appreciated that the areas close to the Horsham Road will be noisy. The overall provision of balcony space is considered to be useable in terms of the areas provided and (with particular reference to the those on the four blocks of the flats close to the southern boundary), is designed to attenuate noise from the dual carriageway. Ground floor flats in each of the blocks are also indicated to have access onto the amenity land adjacent to their flats.

5.35 Of the 8 x two bedroom, four person maisonettes, four would be provided with the minimum 75sqm of amenity space, (including balconies), required by the Urban Design SPD. One would have approximately 63sqm of garden space, one 67sqm of amenity space including a balcony and remaining two 70sqm of garden space. Part of the overall shortfall for the maisonettes is due to designing these garden layouts so that they can be accessed directly from the residence without having to cross an intervening access to a neighbouring unit and this has resulted in a requirement for rear accesses into the middle gardens. However this design has resulted in more useable and safer amenity space provision at the expense of some garden space.

5.36 All of the house rear gardens would be at least 10.5m in length and except for two of the three bedroom houses (plots 011 and 012), would be provided with a rear garden that would comply with the standards set out in the Urban Design SPD. The two houses with the shortfall in rear gardens

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should have 90sqm of rear amenity space but would be provided with approximately 81sqm and would therefore be approximately 9sqm below the standard.

- 5.37 It is disappointing that not all of the dwellings hereby being provided would have outdoor amenity space that precisely complies with the standards set out in the Urban Design SPD however, overall the amenity space provision is considered to be well laid out and is designed to be useable by future occupants, and the relatively minor shortfalls (e.g. the balconies) are not considered to be significant given that the site would be immediately adjacent to a retained playing field and the excellent access to other public open space such as Buchan Park (150m away to the south east across the pedestrian bridge) for future residents.

## Relationships between buildings

- 5.38 The houses within the development would be laid out so that there would be no rear to rear elevations facing each other at less than 21m distance. The front of house plot 40 would be 20m from the rear elevation of house plot 35 at an angle, and there would be intervening parking spaces and amenity land planted with a tree. It is considered that as it would not be a direct window to window relationship, this would not result in plot 35 being subject to harmful levels of overlooking.
- 5.39 The houses would also be laid out so there would not be less than 12m to the side elevations of neighbouring houses. This accords with the recommendation for a 10.5m gap to be retained between an elevation and a two storey side elevation as set out in the Urban Design SPD.
- 5.40 In addition the maisonettes would be at least 13m from the side boundaries of the rear gardens adjacent to them (house plot 41 being the closest), and they would have limited numbers of windows, (primarily serving kitchens) in these facing elevations. It is considered that this relationship would be acceptable and would not result in harmful levels of overlooking.
- 5.41 The three storey block comprising flats plots 20-31 (Block A) would be 14.5m from the boundary with houses plots 11 and 12. These two houses would have gardens 12.5m in length. The rear elevations of these houses would therefore be 27m from the closest facing windows. This is below the 30m distance between 3 storey development and the rear of two storey development as recommended by the Urban Design SPD. This block would be 15.5m away (balcony) from the front facade of the closest facing house to the west at plot 39. While this is not an ideal relationship, as this is a front to front facing relationship across the street where there will already be public views from the highway, it is not considered that a 30m separation is required. In addition screens are proposed across parts of the front facing balconies to prevent direct overlooking of neighbours houses and effectively extend the distance from balcony to windows to 17m. It is considered that the relationship between these flats and the facing houses would therefore be acceptable.
- 5.42 In regard to the relationship with houses plots 19 and 18 to the south, there would be 16m between the side of the block of flats and the rear elevation of these houses. The limited number of windows in the block of flats on this elevation that would not serve habitable rooms are proposed and these could be fixed shut and obscure glazed to prevent overlooking. As the block of flats would also be to the north of these houses there would not be overshadowing or a lack of natural light. The balconies to the front of the building would have a screen along the south balustrade. It is therefore considered that the building would have an acceptable impact on the amenities of the occupiers of these two houses in terms of privacy and light/overshadowing.
- 5.43 Finally in regard to the relationship between the four blocks of flats Blocks B,C,D and E) proposed within the southern section of the site and the houses and maisonettes to the north. The flats would be 3 storeys' in height with balconies on the north facing elevations. Due to the design of the flats, facing towards the north east and northwest to mitigate noise and provide natural light to rooms, most windows would have oblique views of the houses and maisonettes to the north. Balconies in flat plots 68-76 would be 14m from the 1<sup>st</sup> floor windows in house plot 18 to the north which is the closest relationship between these buildings. As this would be a front elevation to front elevation relationship with an intervening road and planted amenity space, there would be public views of the frontage of all the facing dwellings. It is not considered that this relationship would result in harmful overlooking.

## Conclusion

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- 5.44 The development has been designed to ensure that future residents would not be subject to levels of noise pollution that would be injurious to health. The floor space and layout of the houses, maisonettes and flats would provide an adequate level of accommodation and all habitable rooms would have an acceptable outlook. Notwithstanding two of the houses and 4 of the maisonettes would be provided with garden space slightly below the Councils Standard set out in the Urban Design SPD, the overall provision of balconies, gardens and amenity space for residents is all well sited and useable. There would also be an adjacent playing field and the housing would be close to the Skelmersdale Playing Fields and Buchan Park. There would be close relationships between the front facades of buildings, but no rear elevations and gardens areas would not be subject to harmful levels of overlooking. On balance therefore and subject to conditions to require the noise attenuation requirements to be implemented and retained, screens to be provided on balconies and restrictions on elevations to ensure some windows are obscure glazed and fixed shut, the overall quality of accommodation to be provided would be acceptable.

## Design and the impact of the development upon visual amenity

- 5.45 Vehicular access would be taken from Waterfall Crescent to the north of the site and provide a circular route around the new layout. This would extend to the west to form a cul-de-sac and access to parking areas for the maisonettes and two houses. A non-vehicular access would be provided into the site from Douster Crescent to the north, with a path to the south running alongside the east boundary of the retained playing field. There would be a path along the north boundary of the site linking Waterfall Crescent to the retained playing field to the west. There would be areas of amenity land around the development with trees and shrub planting. Waste storage buildings are proposed as an integral part of acoustic and boundary walls around the blocks of flats.
- 5.46 The alignment of the north-south roads and paths through the site with the north-south roads of Waterfall Crescent and Douster Crescent would retain important longer views through the site from Breezehurst Drive to the north, towards the larger three storey blocks of flats proposed along the southern boundary that would be viewed against the backdrop of Target Hill/Buchan Park.
- 5.47 Most of the northern part of the site would have two storey houses and short terraces along its roads. They would be of similar design and materials to the houses in Waterfall Crescent to the north, being primarily constructed in brick with weatherboard features and tiled roofs. The staggered layouts with some parking to the sides of houses would provide areas for front gardens and amenity space that can be landscaped, to ensure the streets are not dominated by parked cars.
- 5.48 The four blocks of flats (Blocks B, C, D and E) at the southern end of the site are of more contemporary appearance with angled roofs and walls, glazed balconies and some feature panels. Designed to give outlook and light to habitable rooms in the flats, whilst ensuring the noise pollution from the A2220 would not affect the health of residents, it is considered that the various returns, angles, materials and fenestration would provide enough variation in the main elevations to provide the buildings with visual interest from main view points along the roads and to the west from the retained playing fields and beyond. Views between the buildings at ground floor level would be limited due to the need to provide substantial acoustic walls between the buildings, although this serves to screen the parking areas from public view. To the front/north of these blocks of flats amenity areas would be provided where tree planting can be accommodated to enhance the street-scene. Parking areas would be to the rear/south of the flats in landscaped areas, hereby limiting their visual impact.
- 5.49 The elevations facing south, by the necessity to limit the number of openings to prevent noise in the flats, would not have the visual interest of the main north/east/west facing elevations. These elevations would however face only onto the busy A2220 and would be at least partially screened by the retained trees, and they are therefore considered acceptable given the noise constraints of the site.
- 5.50 The block comprising flats plots 20-31 (Block A) would be sited adjacent to Waterfall Crescent, with its main west facing façade incorporating similar design features and materials to the four blocks proposed to the south of the site. This would provide a feature on the corner of the development when viewed from Breezehurst Drive/Waterfall Crescent to the north and although larger than surrounding existing and proposed development it is considered to be of an overall acceptable scale and massing at this location. Views from the north and north-east would be acceptable due to the



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visual interest that would be created by the buildings “c” shaped layout, the incorporation of returns that would break up facades and alter roof forms, the pallet of materials proposed, and, fenestration patterns/panel features. It is considered that building would be acceptable in the street scene and in its wider context.

- 5.51 The remaining main view to consider is from the playing fields and open space to the west. These views would be towards the 2 to 3 storey maisonette buildings, the parking area to their front and a public path. To the front of the parking area and buildings in this location it is proposed to create a landscaped area around the north-south footpath. It is considered that this would prevent the area from being dominated by cars, and would help to integrate the development with the retained playing field open space.
- 5.52 The maisonettes would face to the west and their orientation towards the playing field is considered appropriate to utilise these views/outlook for residents whilst ensuring an active frontage/visual interest. The design of the maisonettes, with pitched roofs rising from 2 to 3 stories and staggered bays facing east and west, with either brick or timber cladding is considered to provide an acceptable appearance when viewed from the west.
- 5.53 The northern maisonette block has been revised during the course of the application to add fenestration and architectural features to its north and east facing elevations. It is now considered that these elevations would be of an acceptable design to ensure views of this building from the east, north and west would be acceptable.
- 5.54 The overall layout of the development has been revised during the course of the application to enable more trees/landscaping to be planted and to have space to mature. This includes for example, the narrowing the roads at some points and includes tree planting at the far eastern end of the east-west running that will help to screen the side gable of the house in Meridian Close and provide a feature at the end of the road.
- 5.55 It is therefore considered that the residential dwellings proposed would relate well to the existing Douster Crescent/Waterfall Crescent development to the north and the retained playing field/longer views from the west. Longer views from Breezehurst Drive to the north would also be acceptable. The site would include space for planting in the streets and due to the overall layout would not be dominated by the need for parking spaces. The proposal does not include development that would be sited to have a harmful impact upon the long distance view splay from Buckswood Drive to the north. It is therefore considered that subject to conditions to control the exact materials to be used and to ensure that the landscaping complements the development and complies with the requirements of the Breezehurst Drive Playing Fields Design Brief and the relevant policies of the Local Plan in this regard.

## Highways, transport and the operational requirements of the site

### Impact upon the operation of the highway network

- 5.56 The planning application was submitted with a Transport Assessment, a Road Safety Audit Stage 1 Report and Response, and Travel Plan and Parking Arrangements statement. There would be two points of vehicular access to the site from Waterfall Crescent to the north. The development includes road narrowing features and raised platforms as well as junctions to control vehicle speeds. The proposed road and parking layout was revised during the course of the application, including narrowing the east-west road and altering the parking/access area at the western end of the site.
- 5.57 West Sussex County Council (Highway Authority) has no objection to the proposal on highways grounds, commenting that as most of the roads and footways will be adopted and detailed design issues can be addressed through the S38 Agreement. It has highlighted a number of features proposed including: road narrowing to reduce vehicle speeds, support for shared surfaces in cul-de-sacs, raising the height of road surfaces to match pedestrian pavements to provide space for pedestrians, laybys for visitor parking and that the site would have good pedestrian permeability.
- 5.58 There is adequate spare capacity in the existing area for the additional traffic movements including at the nearby roundabout and that there would be adequate space within the development for refuse and larger vehicles to access and turn within the site.

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- 5.59 Subject to conditions it is considered that the development would meet the access needs it would generate and would not cause an unacceptable impact in terms of increased traffic congestion or highway safety. It would therefore accord with policies CH3 and IN3 of the Crawley Borough Local Plan in this regard.

## Car parking

- 5.60 The development would be provided with 140 off-street parking spaces. The Council's Urban Design SPD requires the following car-parking standard:  
One bed dwellings – 1.2 spaces  
Two bed dwellings – 1.5 spaces  
Three+ bed dwellings – 2 to 3 spaces
- 5.61 On the basis of the development providing 18 x one bed dwellings, 47 x two bed dwellings and 17 x three bed and 3 x four bed dwellings, there would be a requirement for between 132 and 152 parking spaces. The number parking spaces therefore complies with requirements of the Urban Design SPD.
- 5.62 In relation to allocation of parking space, all except one of the two bedroom houses would have 1 off street space (with one single house with two spaces), each three and four bedroom house would have 2 off street spaces. There would be 80 spaces in communal parking areas close to, or, specifically for the flats /maisonettes. There would also be 10 spaces in laybys. As noted by WSCC *"All the spaces are acceptable for use with all parking located next to the houses and flats they relate to. Visitor parking would also be evenly distributed throughout the site."* The car-parking provision is therefore considered acceptable.
- 5.63 Whilst there is not currently a requirement within the Local Plan for electric charging points, the applicant has confirmed that 20% of spaces would be provided with electric charging points and that ducting will be provided for all parking spaces to be turned into electric charging points in the future. It is therefore considered that this is a positive feature of the development and it would future proof the development to ensure the phasing out of petrol and diesel vehicles can be accommodated in the future.

## Cycling and cycle parking

- 5.64 The development has been designed with shared paths for cyclists and pedestrians, measures to reduce the speeds of vehicles on the highway and the use of shared surfaces on roads and parking areas. It is considered that these measures will ensure that the development is suitable for walking and cycling.
- 5.65 Each house and the maisonettes would be provided with rear access to the garden and space in an outbuilding that can accommodate the parking of at least 2 cycles. Each block of flats would also be provided with an integral cycle store that can accommodate the required number of cycles. Notwithstanding specific details have not been provided of on street/visitor cycle parking, there is space for this within the site in locations where there would be natural surveillance and the details therefore can be subject to control by condition. WSCC has commented that: *"162 cycle storage spaces are provided within the private curtilages of each property, with an additional 20 allocated around the site in publicly accessible areas. The promotion of sustainable travel is an important part of the NPPF and the provision of, EVC points, good quality cycle storage and cycle paths to link into is served well by this development"*.

## Other

- 5.66 The development would be provided with pedestrian and or cycle routes towards Skelmersdale Walk and direct access to the pedestrian bridge to Buchan Park. There would also be pedestrian access to Douster Crescent. There also is space to ensure that there would still be access at the east end of the site from Punnetts Court although it is considered that this should be restricted from going through the parking area for the block of four flats to reduce opportunities for crime/unsociable behaviour. The site would be considered to have good permeability for non-vehicular traffic.

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- 5.67 Policy CH3 also requires development to ensure it includes safe and proper provision for the storage and collection of waste and recycling. Each house and maisonette would be provided with rear amenity space and access to it that would not be required to go through the house. Provision is therefore provided for the houses to be able to locate their waste and recycling bins clear of the highways in an acceptable location.
- 5.68 The blocks of flats would be provided with shared bin storage facilities. Initial concern that these may not be able to be accessed by the waste collection services, have resulted in revised bin storage buildings that have addressed this issue. There will still be a requirement for access paths and dropped kerbs to be provided to these bin storage areas, and this detail has not yet been provided. However, as the design and location of this provision would be acceptable, these details can be subject to detailed control though conditions applying to hard landscaping for the development.
- 5.69 It is considered that the development would therefore have an acceptable impact upon highway capacity and would not be detrimental to highway safety. The operational requirements of the site can be met. The development would therefore comply with the Breezehurst Playing Fields Design Brief and policies CH3, IN3 and IN4 of the Local Plan in this regard

## The impact upon the area outside the built up area boundary (South of Broadfield into Buchan Hill Forest and the High Weald AONB).

- 5.70 The site is within the built up area boundary and only the southern boundary of the site is identified as being within the South of Broadfield Rural fringe character area. The High Weald AONB is situated 325m from the site at its closest point in the south west corner of the site adjacent to the retained playing pitch (undeveloped part of the site). It is separated from the site by the A2220 Horsham Road, part of Buchan Park within Horsham District and the A264 further to the south. The development would retain the line of trees along the southern boundary with the South of Broadfield Rural fringe character area that are also structural landscaping.
- 5.71 Policy CH9 sets out that development should ensure that Crawley's compact nature and attractive setting be maintained. Policy CH7 requires structural landscaping to the retained and enhanced where possible. With the retention of the trees along the southern boundary retaining the screening of the site and the separation of the site from the countryside of Horsham to the south by the A2220 that form a part of the structural landscaping for the area, it is not considered that the development of this allocated site would harm the wider landscape character of the area.
- 5.72 Policy CH9 also requires proposals to ensure that they do not conflict with the High Weald AONB Management plan Objectives. The developed part of the site would be approximately 380m from the part of the site to be developed with two intervening dual carriageways, parts of the Buchan County Park, and significant amounts of retained vegetation. It is therefore considered that the development of this allocated site would not have an adverse impact upon to the High Weald AONB. The development would therefore comply with policy CH9 in this regard.

## Sports and open space provision

- 5.73 Policy H2 of the Local Plan and the Breezehurst Playing Field Development Brief, require the retention and improvement of the playing field to the south of the Breezehurst Community Pavilion and improvement to other sports facilities in the local area to compensate for the loss of the playing field to housing development. The applicant has submitted agronomic report and has identified works (including improved drainage and maintenance over a fifteen year period) will be undertaken to the retained playing field and that could be undertaken to Skelmersdale Walk Playing fields to improve their quality and useability. Whilst it has not been identified which sports the playing field would be retained and improved for, the works proposed and monies allocated to the development that would be controlled though the S106 mechanism and collected by the Local Planning Authority. There is a commitment from the Council to ensure the works will be undertaken in conjunction with ensuring the Pavilion will be available for sports uses, would enhance sports provision in Bewbush.

Sport England has therefore withdrawn its objection after the applicant provided more evidence of how it intended to implement the works subject to the completion of the S106 agreement and the

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imposition of conditions The applicant has agreed to enter into a S106 agreement with the Local Planning Authority so the money for sports pitch improvement works and maintenance (Skelmersdale Walk linked to the use of the Breezehurst Community Pavilion) is ring-fenced for that purpose only (£277,500, broken down as £70,000 for initial works and £10,500 per annum for maintenance with the additional money for works to improve the on-site pitch). The legal agreement will require a scheme and schedule of works to be agreed for the works, with a monitoring regime to ensure the works are undertaken. On this basis it is considered that the development would now comply with the requirements of the Breezehurst Playing Fields Design Brief and policy H2 of the Local Plan as there will be improvements to the quality of sports facilities in the area enforceable through conditions and the legal agreement that would off-set the loss of playing field area.

- 5.74 The provision of new housing in this area would result in greater pressure on existing open space provision. In addition to the requirements for sports field mitigation there is also a requirements for enhanced play facilities, amenity green space and allotment provision (Cuckfield Close/Ellman Road). The improvements to allotments is also a specific requirement of policy H2 of the Local Plan and the Design Brief. It has therefore been identified that the following is required:

**£23,252.60** towards children's/youth play is required.

**£13,189.50** towards amenity green space.

**£8,793** is required towards the provision/improvement of allotments for residents of Bewbush.

- 5.75 These would form the requirements of a S106 agreement that the applicant has agreed to complete. The proposal would therefore be considered to be acceptable in regard to the Breezehurst Drive Playing Fields Design Brief and Local Plan policies ENV1, ENV4 and H2 in this regard.

## Sustainability

- 5.76 The Councils Energy Efficiency and Sustainability officer has commented that the proposal is supported by an Energy Statement with associated calculations, together with further discussion of sustainability issues in the Planning Statement.

*“Policies ENV6, ENV7, and ENV9 and the Planning & Climate Change SPD are relevant to this application.*

*ENV6 requires the submission of a Sustainability Statement responding to the six 'sustainability objectives' set out in the policy. It requires that new homes meet the on-site energy performance standards of Building Regulations, and any subsequent increased requirements. ENV7 requires developments of this scale to demonstrate their consideration of the hierarchy of options regarding decentralised/district energy which are detailed in the policy, and to pursue such that are viable and feasible. The response to the policy is to be detailed in the Sustainability Statement submitted in support of the application. ENV9 requires that new dwellings meet the 'optional' Building Regulations water efficiency limit of 110 litres per person per day.*

*ENV6 and ENV7 can be considered together in relation to the proposed energy strategy.*

*The energy strategy is targeting a Code for Sustainable Homes Level 4 equivalent, which is a 25% reduction in CO2 emissions compared with the 2010 Building Regulations and a 19% reduction compared with the current (2013) Building Regulations. As such it is targeting a relatively advanced level of energy/CO2 efficiency. The proposed means of achieving the standard are through the specification of relatively high standards of fabric performance, together with the addition of solar PV. The proposed heat source is condensing gas boilers.*

*There is no proposal to include any communal / district energy in accordance with Policy ENV7, but given the size, location and form of the development it is appreciated that this would be less suitable than in a higher density scenario where other developments were also anticipated in the near vicinity. Since the proposed specification, including the deployment of solar PV, achieves a 19% reduction in CO2 emissions compared with current Building Regulations requirements, this is considered to represent an acceptable 'alternative approach', as allowed within the terms of Policy ENV7.”*

- 5.77 It is accepted therefore that the development can comply with the requirements of policies ENV6 and ENV7, however it has been identified that the proposals could change, and it is therefore

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recommended that the condition to control these matters is worded to require the developer to agree and implement the sustainability features prior to the occupation of the dwellings. Little detail has been provided relating to water efficiency, and this to it is therefore recommended will need to be subject to control through the use of a condition.

## Drainage and flood risk

- 5.78 The site is in an Environment Agency zone 1 flood risk area, and is therefore not at an increased risk of flooding. A flood risk assessment was submitted with the application. Further information relating to drainage was subsequently provided at the request of the Councils Drainage Engineer. The additional information confirmed that the development could be implemented with an acceptable Sustainable Drainage Scheme (SuDs) that would not increase the risk of flooding off site whilst ensuring the site itself was adequately drained. WSCC in its role as the Lead local Flood Authority identified that the site had not been subject to historic flooding. It also stated has no objection to the proposal, and advocated the use of SuDs for the site.
- 5.79 Provided the development is therefore implemented in accordance with a SuDs and ongoing maintenance schedule that has first been agreed by the Local Planning Authority, it is considered that drainage and impact upon flooding off site will be in accordance with policy ENV8 of the Local Plan.

## Ecology and trees

- 5.80 There is a requirement in the Section 15 of the National Planning Policy Framework for development to result in a net biodiversity gain. The site is mostly laid to grass as it has historically been used as a playing field. There are a number of trees along the southern boundary with the A2220 Horsham Road and there is also a hedge close to the southern boundary. All of the trees along the southern boundary are proposed to be retained except for three. Part of the hedge will be removed. The wider site that includes the retained playing field can accommodate at least one tree for each dwelling proposed and to replace those lost. How this might be achieved is demonstrated on the site block plan and will be subject to control through landscaping conditions.
- 5.81 An ecological survey was submitted with the application. The Councils Ecology Consultant has commented that "there are no biodiversity or ecology reasons for refusal or amendment of the proposals" and has recommended conditions to ensure that important retained ecological features are protected, (such as Douster Brook and the trees along the southern boundary, although not the hedge) and that ecological enhancement features are implemented. The Councils Arboricultural officer has also confirmed that there is no objection to the application in terms of its impact on trees, although it is expedient to require tree protection measures to be implemented during construction to ensure their retention. The impacts of the development on ecology and trees are considered to be acceptable and the proposals would comply with section 15 of the NPPF the Green Infrastructure SPD and policies CH3, CH6, ENV1 and ENV2 of the Local Plan in this regard.

## Crime and anti-social behaviour

- 5.82 Policy CH3 includes a requirement for development to demonstrate that it is "Secure by Design" by including measures to reduce crime, the fear of crime anti-social behaviour and disorder. Sussex Police has raised a concern with particular regard to the parking areas between the 4 blocks of flats (Blocks B,C,D and E) close to the southern boundary and the A2220 Horsham Road. The design of these flats would result in limited natural surveillance of this area, as the need to ensure the noise from the road is mitigated has prevented the insertion of habitable windows in the elevations facing south. There would also be limited surveillance of these parking areas from the street to the north from between the flats due to the substantial acoustic walls. Sussex Police are therefore concerned that these parking areas would not be "Secure by design" and could result in opportunities for crime/antisocial behaviour. It has however been agreed that with appropriate lighting, low level planting and the installation and operation of CCTV, their concerns would be mitigated.
- 5.83 The path along the north boundary of the site has been revised during the course of the application and windows added to the northern most maisonette to provide increased natural surveillance for this area. It would also be overlooked by the houses and from the parking areas of the closest

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houses in Waterfall Crescent and Douster Crescent to the north. Planting and lighting for the development will be subject to conditions for the whole site to include other public areas/paths etc. but in order to ensure the concerns of Sussex Police are addressed and the security of future residents is provided, a separate condition to provide CCTV coverage to these areas is required. It is considered that there are not concerns regarding issues of crime/disorder for the rest of the development, and subject therefore to the controls set out above the development would comply with the requirements of policy CH3 in this regard.

## **6. CONCLUSIONS:-**

- 6.1 The site is an allocated housing site and therefore subject to ensuring the loss of the playing field is mitigated by improvements to the retained playing field and in the locality, the principle of development at this site is acceptable. The requirement to ensure that the potential impacts from the noise generated by the A2220 Horsham Road are mitigated to prevent harm to the health of future residents has resulted in a form of development that can support an increase in the number of housing units on the site to 85 from the 65 recommended in the Local Plan. The proposal would result in the provision of 85 affordable housing units with a good mix of housing types and sizes that would accord with the Local Plan requirements.
- 6.2 The impact upon neighbour occupier's amenities would be acceptable. The development can mitigate the impact of noise from the adjacent A2220, and the environment and accommodation to be provided would be acceptable for future residents. It is considered the layout, siting and design and massing of the buildings would not be harmful to visual amenities and the character of the development would integrate acceptably into the area with space provided for landscape planting and street trees. Structural landscaping would be retained screening the development from the south, and there would not be an adverse impact upon the South of Broadfield Rural Fringe or the High Weald AONB.
- 6.3 It has been demonstrated that the development would not have a harmful impact upon the safe and efficient operation of the highway network, and the additional housing units would not result in an adverse impact upon congestion. Car and cycle parking would be in accordance with the Councils adopted standards, and the operational requirements of waste collection services would be met. The development is also considered to have good pedestrian and cycle permeability.
- 6.4 The site is not at a higher risk of flooding and evidence has been provided to demonstrate that a sustainable drainage scheme can be implemented to prevent increased water run-off and increased flooding off site. The impact upon ecology/biodiversity and trees would be acceptable with the development demonstrating that it could accommodate new and replacement trees. The applicant would improve retained on site and off site sports facilities in the area and the impact upon green amenity space, children's play space and allotments would be mitigated.
- 6.5 The development would therefore comply with the requirements of the Breezehurst Drive Playing Fields Development Brief, the Local Plan policies that would apply and the relevant sections of the national planning Policy Framework. It is therefore recommended that permission should be granted subject to the completion of a S106 agreement to provide off site sports provision improvements and open space, play space and allotment mitigation.

## **RECOMMENDATION RE: CR/2020/0192/RG3**

To **PERMIT** subject to the completion of the S106 agreement.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.

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3. Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the dwellings relative to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.

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

4. No development shall be carried out above ground level unless and until a schedule and samples of materials and finishes to be used for external walls, roofs, windows, doors, cladding, panels, and balconies (including balustrade glazing), of the proposed buildings have been submitted to and approved by the Local Planning Authority.

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

5. No apartment on the first or second floors of Apartment Block A (plots 20-31) shall be occupied until a balcony screen has been implemented in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority. The balcony screens shall thereafter be maintained in accordance with the approved details.

REASON: To ensure neighbour occupiers amenities are protected in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

6. Before the development hereby permitted is commenced, the final scheme shall have been submitted to and been approved in writing by the Local Planning Authority to protect the site and dwellings against the noise from the A2220. The scheme shall be in accordance with the design Option 01E set out in the Noise Report by MACH Acoustics named Breezehurst Drive II (Revision 03 dated 27/03/2020).

1. For the purposes of this condition the scheme shall demonstrate that all reasonable mitigation measures have been employed to mitigate noise impacts to an acceptable level that is as low as is reasonably achievable. The mitigation shall include, but not exclusively, the following steps:

- (a) Provide appropriate distances between noise sensitive developments and noise sources;
- (b) Land zoning to separate noisy uses from noise sensitive uses, for example, avoiding the siting of children's playing areas next to accommodation for the elderly;
- (c) Careful orientation of building layout, such as at right angles to the noise source;
- (d) Internal layout of dwellings, through the location of non-habitable rooms such as bathrooms, kitchens and circulation areas located on the noisier façades and noise sensitive habitable rooms located on the less noisy facades ;
- (e) Screening by non-noise sensitive structures or barrier blocks such as garages and walls;
- (f) The introduction of acoustic screening such as bunding/embankments, fencing and walling;
- (g) Protection of external residential amenity areas by positioning them towards the centre of the development sites.

2. The scheme shall also demonstrate that the above mitigation steps in paragraph (1) are able to achieve:

- (a) a noise level within any (unoccupied) domestic living room (including kitchen/diners and open plan studio flats) or bedroom, with windows open, of no more than 35 dB LAeq,16hr (between 0700 and 2300 - day) and no more than 30dB LAeq,8hr (between 2300 and 0700 - night);
- (b) a maximum noise level within any (unoccupied) domestic bedroom (or studio flats), with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700; and
- (c) road traffic noise level in any external amenity areas of no more than 50dB LAeq,16hr. Where this standard cannot be achieved despite all potential mitigation being carried out, a level of no more than 55dB LAeq, 16hr will be acceptable for the whole or a proportion of the private amenity area, the details of which are to be agreed with the LPA.

3. Where the standards in (a) and/or (b) in paragraph (2) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which natural and if proved necessary mechanical ventilation will be provided in conjunction with steps to reduce thermal gain by design, to adequately deal with summer overheating.

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4. No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.

5. The approved scheme must be implemented in full and maintained for the lifetime of the building. Any amendments to the scheme or alterations to the windows or ventilation must be agreed with the Local Planning Authority in advance on an application on that behalf.

REASON: In the interests of residential amenity by ensuring an acceptable noise level for future occupants in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015 - 2030.

7. Prior to occupation of any of the dwellings the acoustic barrier apartment blocks and associated acoustic walls bordering the A2220 (Option 01E set out in the Noise Report by MACH Acoustics Breezehurst Drive II Revision 03 dated 27/03/2020), shall be complete.

REASON: In the interests of residential amenity by ensuring an acceptable noise level for future occupants in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015 - 2030.

8. The playing field and pitch on site shall be constructed and laid out in accordance with drawing no. 004 Rev P05 and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use along with the sports pavilion before first occupation of any residential property hereby permitted.

REASON: To ensure the quality of pitch and other facilities is satisfactory and they are available for use before the residential development is occupied to accord with Local Plan policy H2 and the Breezehurst Drive Playing Field Development Brief 2018.

9. No development shall commence until a scheme for the extension and renovation of the existing playing field drainage and its management and maintenance in accordance with the 'Land South of Breezehurst Drive Sports Pitches Agronomic Assessment Report' January 2020, including a management and maintenance implementation programme, has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The playing field shall thereafter be restored, managed and maintained in accordance with the approved scheme.

REASON: To ensure the quality of pitch(es) is satisfactory and that they are available for use before development (or agreed timescale) and to accord with Development Plan Policy H2.

10. No part of the playing field to be retained shall be used as a works / contractors' compound (including any buildings, moveable structures, works, plant, machinery, access and provision for the storage of vehicles, equipment and/or materials) other than in accordance with a scheme, including for playing field restoration, that has first been submitted to and approved in writing by the LPA after consultation with Sport England.

REASON: To protect the playing field from damage, to secure any further necessary renovation works arising and to accord with Local Plan policy H2

11. The residential units shall not be occupied until measures have been implemented in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority that the dwellings will achieve a water efficiency standard by consuming not more than 110 litres of water per person per day.

REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030

12. No dwelling shall be occupied until design-stage SAP calculation summaries for the development detailing a level of environmental performance consistent with the submitted Energy Statement, including a reduction of at least 19% in carbon dioxide emissions compared with the 2013 Building Regulations baseline requirements, have been submitted to and been approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable design and construction and in accordance with Policies ENV6 of the Crawley Borough Local Plan 2015-2030.



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13. Before the buildings hereby permitted are occupied the waste and recycling bin buildings for the blocks of flats shall be provided as part of the development in accordance with the approved plans. The waste and recycling bin buildings shall thereafter be retained solely for this purpose.  
REASON: To safeguard the appearance of the property and the amenities of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
14. No photovoltaic or solar thermal schemes shall be implemented until details of them have been submitted to and been approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented only in accordance with the approved details.  
REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
15. The development hereby permitted shall not commence until details of the proposed surface water drainage and means of disposal including hydraulic modelling and storage calculations have been submitted to and approved by the Local Planning Authority and no building shall be occupied until all drainage works have been carried out in accordance with the details as approved by the Local Planning Authority.  
REASON: To ensure that the proposed development is satisfactorily drained in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
16. The windows on or above the first floor of: the southern facing elevation of apartment block A, the north facing elevation of house 03, the north facing elevation of house 11, the west facing elevation of house 06, the east facing elevation of house 07, the west facing elevation of house 33. the east facing elevation of house 34 and the east facing elevation of house 40 shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening to a height of at least 1.7m above finished floor level.  
REASON: To protect the amenities and privacy of the adjoining property, in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
17. Provision shall be made for combined aerial facilities to serve all flat/maisonette development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.  
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
18. No development shall take place above ground floor level until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme including the planting of at least 88 trees. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of the amenity and of the environment of the development in accordance with Policy CH3 and CH7 of the Crawley Borough Local Plan 2015 - 2030.
19. No development above ground level shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of, and schedule for the implementations of hard landscaping for the site to include but not be restricted to street furniture, boundary treatments, bollards, hard surfacing materials, visitor cycle facilities, a path to Punnetts Court and access to Douster Crescent. The development shall thereafter be implemented in accordance with the approved scheme and schedule.  
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
20. The existing trees/bushes/hedges shall be retained/protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or

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being severely damaged or becoming seriously diseased during that period, shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

REASON: To ensure the retention of vegetation important to the visual amenity, /the ecological quality and for the environment of the development in accordance with Policy CH7 of the Crawley Borough Local Plan 2015 - 2030.

21. No dwelling shall be occupied until Electric Vehicle Charging spaces have been provided for that dwelling in accordance with plans and details submitted to and approved by the Local Planning Authority.  
REASON: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and paragraph 105 of the NPPF 2019.
22. No dwelling shall be occupied until screen walls and/or fences have been erected around that respective dwelling in accordance with details that have been submitted to and approved by the Local Planning Authority.  
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
23. The no building shall be occupied/until the roads serving the development hereby permitted has/have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.  
REASON: To secure satisfactory standards of access for the proposed development in accordance with Policy CH3 and ENV8 of the Crawley Borough Local Plan 2015-2030.
24. No dwelling shall be occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.  
REASON: To provide car-parking space for the development in accordance with policy CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.
25. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
  - the anticipated number, frequency and types of vehicles used during construction,
  - the method of access and routing of vehicles during construction,
  - the parking of vehicles by site operatives and visitors,
  - the loading and unloading of plant, materials and waste,
  - the storage of plant and materials used in construction of the development,
  - the erection and maintenance of security hoarding,
  - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
  - details of public engagement both prior to and during construction works.REASON: In the interests of highway safety and the amenities of the area in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
26. No development shall take place until a scheme, in the form of a site specific dust management plan, to control the emission of dust from the construction works at the site has been submitted to and approved in writing by the Planning Authority. The approved scheme shall have reference to the IAQM's Construction Dust Guidance (Guidance on the assessment of dust from demolition and construction (2014) and Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites (2018) and be fully implemented throughout the duration of construction works until completion of the development.  
REASON: To ensure the impact on air quality during construction does not affect neighbouring occupiers in accordance with policy ENV12 of the Crawley Borough Local Plan 2015-2030.
27. Prior to the commencement of the development details showing the proposed location and schedule for implementation of fire hydrants shall be submitted to and approved in writing by the Local Planning

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Authority in consultation with West Sussex County Council's Fire and Rescue Service. The fire hydrants shall be installed prior to the occupation of any dwelling in accordance with the approved details.

REASON: In the interests of the safe and proper use of the site in accordance with Crawley Borough Local Plan (2015 – 2030) Policies IN1 and CH3 and The Fire & Rescue Service Act 2004.

28. No dwelling in apartment Blocks B, C, D and E shall be occupied until CCTV and lighting has been installed in the parking areas between these buildings and the A2220 to the south in accordance with details that have first been submitted to and been approved in writing. The details shall include information of how the CCTV will be operated and managed after installation. The CCTV and lighting shall thereafter be maintained and operated in accordance with the approved details.

REASON: To ensure the development is 'Secure by Design' in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

29. Upon the first occupation of any dwelling, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.

REASON: To encourage and promote sustainable transport in accordance with policy IN3 of the Crawley Borough Local Plan 2015-2030.

30. No dwelling shall be occupied until secure covered cycle parking is provided for it in accordance with details that have first been submitted to and been approved in writing by the Local planning Authority. The cycle parking shall thereafter be retained for this purpose.

REASON: To ensure the cycle parking requirements for the development are provided in accordance with policy IN4 of the Crawley Borough Local Plan 2015-2030.

31. No development shall commence until the following details and schedules for their implementation have been submitted to, and approved in writing by, the Local Planning Authority:

a. Construction Environmental Management Plan setting out measures to avoid / mitigate impacts on biodiversity (including prevention of any pollutants such as dust impacting Douster Brook); and

b. Details of biodiversity enhancements demonstrating a net improvement over existing conditions, including compensation for the loss of the existing hedge. Enhancements should include the positions and specifications of bat and bird boxes and naturalistic planting with native species of local origin and provenance and may be incorporated into an integrated landscape and habitat creation and management plan; and

c. A wildlife sensitive lighting plan with modelled lux levels demonstrating how light pollution of boundary habitats along the southern and western edges of the site will be avoided.

The approved details shall be implemented in full and thereafter retained where required in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

REASON: To protect the ecological value of the site and to accord with policies ENV1 (green infrastructure) and ENV2 (biodiversity) of the Crawley Local Plan and 175 of the NPPF.

32. Provision shall be made for combined television reception facilities and superfast broadband to serve all units within the residential development hereby approved in outline only in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved facilities shall be made available to each individual unit prior to that unit being first brought into use.

REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

## INFORMATIVES

1. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The

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

2. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.
3. Sections 7.1 and 7.8 of the Agronomic Assessment report provide advice concerning the current condition and extent of the drainage and recommendations for improvement. Sport England recommend that the improvement / management scheme is undertaken by a specialist turf consultant.
4. The water efficiency standard required under condition 11 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge without 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 it 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 [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

## 1. NPPF Statement

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

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

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

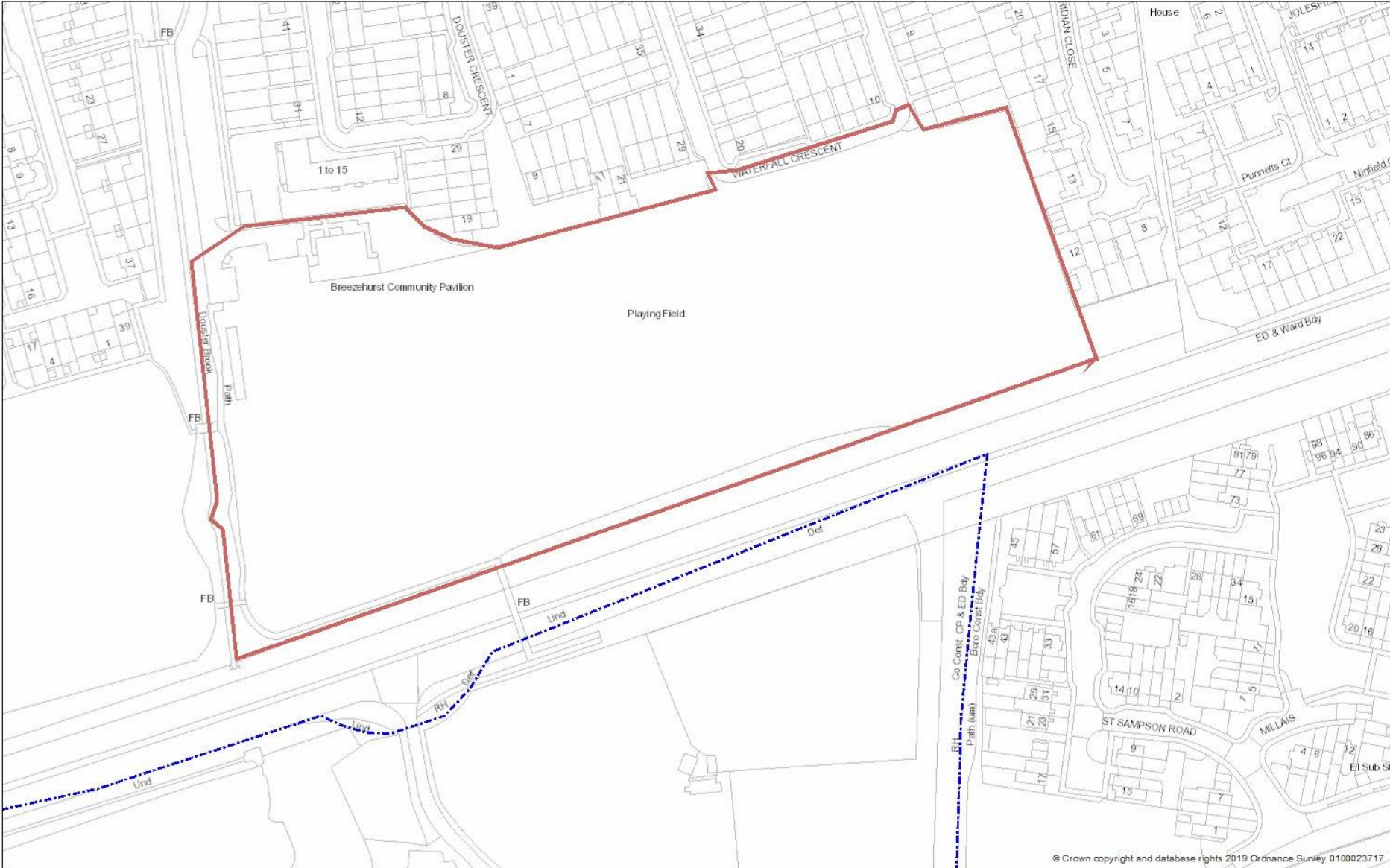


# ArcGIS Web Map



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