

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held **Ashurst Main Hall - The Charis Centre**, on **Tuesday, 29 June 2021** at **7.00 pm**

**PLEASE NOTE THE LOCATION FOR THIS MEETING.
PLEASE USE THE REAR CAR PARK.**

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Nightline Telephone No. 07881 500 227



Chief Executive

Membership:

Councillors

Z Ali, A Belben, S Buck (Vice-Chair), R D Burrett (Chair), I T Irvine, K L Jaggard, S Malik, M Mwgale, Smita Raja and P C Smith

Safety Protocol

The safety of councillors, council officers, the public, and venue staff is paramount. Consequently social distancing measures will be in operation and face masks will be worn (unless speaking) at all times. Hand sanitising will also be required on entry to the venue. Please follow any one-way system that may be in operation. Please be aware that the capacity of the venue has been decreased as a result of social distancing. As a result public attendance numbers may need to be reduced.

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

Part A Business (Open to the Public)

	Ward	Pages
1. Apologies for Absence		
2. Disclosures of Interest		
In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.		
3. Lobbying Declarations		
The Planning Code of Conduct requires that councillors who have been lobbied, received correspondence, or been approached by an interested party regarding any planning matter should declare this at the meeting which discusses the matter. Councillors should declare if they have been lobbied at this point in the meeting.		
4. Minutes		5 - 16
To approve as a correct record the minutes of the Planning Committee held on 26 April 2021.		
5. Planning Application CR/2021/0248/FUL - The Base, Fleming Way, Northgate, Crawley	Langley Green & Tushmore	17 - 40
To consider report PES/372a of the Head of Economy and Planning.		
RECOMMENDATION to PERMIT.		
6. Planning Application CR/2021/0287/FUL - Car Park Adjacent to Co-op, 6 Maidenbower Square, Maidenbower, Crawley	Maidenbower	41 - 50
To consider report PES/372b of the Head of Economy and Planning.		

RECOMMENDATION to PERMIT.

7. Supplemental Agenda

Any urgent item(s) complying with
Section 100(B) of the Local Government
Act 1972.

With reference to planning applications, PLEASE NOTE:
Background Paper:- Crawley Borough Local Plan 2015-2030

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Crawley Borough Council

Minutes of Planning Committee

Monday, 26 April 2021 at 7.00 pm

Councillors Present:

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

Officers Present:

Valerie Cheesman	Principal Planning Officer
Mez Matthews	Democratic Services Officer
Linda Saunders	Planning Solicitor
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Support Officer
Hamish Walke	Principal Planning Officer

Also in Attendance:

Councillor R D Burrett

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	Planning application CR/2019/0602/ARM – Overline House, Crawley Station and Adjacent Highway, Station Way, Northgate, Crawley (Minute 4)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application
Councillor Irvine	Planning application CR/2019/0602/ARM – Overline House, Crawley Station and Adjacent Highway, Station Way, Northgate, Crawley (Minute 4)	Personal Interest – Cabinet Member for Housing

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Councillor Purdy	Planning application CR/2019/0602/ARM – Overline House, Crawley Station and Adjacent Highway, Station Way, Northgate, Crawley (Minute 4)	Personal interest – employed by UK Power Networks (a consultee on the application that did not provide a response)
Councillor Irvine	Planning application CR/2019/0660/FUL – Overline House, Station Way, Northgate, Crawley (Minute 5)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application
Councillor Irvine	Planning application CR/2019/0660/FUL – Overline House, Station Way, Northgate, Crawley (Minute 5)	Personal Interest – Cabinet Member for Housing
Councillor Purdy	Planning application CR/2019/0660/FUL – Overline House, Station Way, Northgate, Crawley (Minute 5)	Personal interest – employed by UK Power Networks (a consultee on the application that did not provide a response)
Councillor Pickett	Planning application CR/2019/0661/FUL – Railway Footbridge, Station Way/East Park, Crawley (Minute 6)	Personal Interest – lives nearby to the application site
Councillor Irvine	Planning application CR/2020/0155/FUL – Easistore, Maidenbower Office Park, Balcombe Road, Maidenbower, Crawley (Minute 7)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application
Councillor Irvine	Planning application CR/2020/0274/FUL – Ambulance Station, Ifield Avenue, West Green, Crawley (Minute 8)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application
Councillor Irvine	Planning application CR/2020/0274/FUL – Ambulance Station, Ifield Avenue, West Green, Crawley (Minute 8)	Personal Interest – Cabinet Member for Housing
Councillor Hart	Planning application CR/2020/0274/FUL – Ambulance Station, Ifield Avenue, West Green, Crawley (Minute 8)	Personal Interest – Secretary of Ewhurst Wood Sports and Social Club (a consultee on the application that did not provide a response)

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Councillor P Smith	Planning application CR/2020/0274/FUL – Ambulance Station, Ifield Avenue, West Green, Crawley (Minute 8)	Personal Interest – Member of the Crawley Labour Supporters Club (based at a building adjacent to the application site)
Councillor P Smith	Planning application CR/2020/0274/FUL – Ambulance Station, Ifield Avenue, West Green, Crawley (Minute 8)	Personal Interest – a member of Crawley Cycle and Walking Forum, a consultee on the application

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillors A Belben, Irvine, Jaggard, Purdy, and P Smith had been lobbied regarding application CR/2019/0602/ARM.

Councillors A Belben, Irvine, Jaggard, Purdy, and P Smith had been lobbied regarding application CR/2019/0660/FUL.

Councillors A Belben, Irvine, Jaggard, Purdy, and P Smith had been lobbied regarding application CR/2019/0661/FUL.

3. Minutes

The minutes of the meeting of the Planning Committee held on 6 April 2021 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2019/0602/ARM - Overline House, Crawley Station and Adjacent Highway, Station Way, Northgate, Crawley

The Committee considered report [PES/362a](#) of the Head of Economy and Planning which proposed as follows:

Approval of reserved matters pursuant to CR/2016/0294/OUT for residential led mixed use redevelopment (multi deck car park removed from scheme) (amended plans received).

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

The Principal Planning Officer (HW) provided a verbal summation of the reserved matters application regarding a total of 223 dwellings across three residential blocks. The Officer reminded the Committee of the previously approved outline application and summarised the various amendments that had since been made to the proposals, one of which was that the Overline House element of the application now formed a separate application (CR/2029/0660/FUL).

In line with the Council's Virtual Committee Procedure Rules, a statement submitted in regard to the application was read to the Committee.

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The statement from the applicant – Surinder Arora, Founder and Chief Executive Officer of the Arora Group – related to three applications on the agenda (CR/2019/0602/ARM, CR/2019/0660/FUL, and CR/2019/0661/FUL) and highlighted matters including:

- The applicant's successful negotiations with Network Rail to overcome issues caused by the site's proximity to the railway line, which resulted in amendments to the approved outline scheme. Works to the railway station were to be phase 1 of the development.
- The sustainable location of the development and the contribution it would make to Crawley's housing supply.
- The applicant's history of investment in Crawley and commitment to providing construction jobs that arise from the scheme to local residents.

The Committee then considered the application. The following matters were raised:

- Concerns regarding the proposed number of parking spaces. The Officer confirmed that residents would not be eligible for parking permits in East Park as the site was in a different parking zone, but the provision of car club membership for residents aimed to alleviate parking pressures. Cycle spaces, public transport links, and the sustainable location of the site would also mitigate this.
- Overshadowing on Station Way. A Committee member raised concerns about limited gaps to let light fall between the blocks. The Officer confirmed that the illustrative outline scheme showed two larger gaps (approx. 16 and 18 metres respectively), and the current application proposed three smaller gaps (approx. 5m each) and a significant gap between Overline House and the adjacent Moka development. A ten storey building was shown in the outline application; the nature of a development of this size meant that some overshadowing was inevitable.
- A green wall. This was illustratively shown within the outline application, but was no longer a part of the design. It had been concluded that this was unfeasible on a north-facing wall due to limited sunlight. Artistic perforated panels were instead proposed, as well as low-level planters.
- The size of the studio flats. Clarification was sought and the Officer confirmed that the two smallest flats (40 square metres each) were 10sqm smaller than the standards set out in the Urban Design SPD.
- Access to the ground floor terrace. The Officer suggested that the terrace was likely to be accessible to all residents of building three.
- Solar panels. The Officer confirmed that solar panels were proposed; full details were to be received via an application to discharge the condition.
- The railway station car park, of which the number of parking spaces was to remain at its current number (97).
- Disappointment regarding the lack of affordable housing. The Officer confirmed that two independent assessments concluded that the scheme could not support affordable housing; this was therefore not a consideration as part of the reserved matters application.
- The design and appearance of the proposed scheme, which were agreed to be an improvement upon the existing buildings at the site and create a positive impression of Crawley.

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:

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

Against the recommendation:
None.

Abstentions:
None.

RESOLVED

Permit subject to the completion of a Deed of Variation to the previously agreed S106 agreement (as detailed in report PES/362a) and the conditions and informatives set out in the report.

5. Planning Application CR/2019/0660/FUL - Overline House, Station Way, Northgate, Crawley

The Committee considered report [PES/362b](#) of the Head of Economy and Planning which proposed as follows:

Change of use and 2 storey roof extension to provide 83 residential apartments, remodelled station including projecting canopy and minor extensions, flexible use retail/coffee shop/business centre (amended plans received).

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

The Principal Planning Officer (HW) provided a verbal summation of the application, which covered the Overline House site adjacent to application CR/2019/0602/ARM but was put to the Committee as a full, freestanding application.

Committee members noted that the statement submitted by the Arora Group in regard to application CR/2019/0602/ARM also applied to the application before them.

The Committee then considered the application. A Committee member queried the accessibility to the building via the external staircase, which raised security concerns for residents. The Officer noted that the plans did not clarify whether the staircase was gated at ground floor level. A condition could be included requesting further details of any barriers at the bottom of the staircase (subject to fire regulations), and the Officer recommended that this form part of a wider condition covering security and access to the residential element. The Committee raised no objection to the inclusion of the new condition - this formed a new condition 26 and became a part of the substantive recommendation.

A Committee member sought clarification about the party responsible for maintaining the external areas surrounding the building. The Officer confirmed that this was covered by condition 17 of the outline application, which required that details of the long term management of the public realm areas be agreed for up to a 15 year period.

Committee members expressed support for the improved appearance of the building and the provision of upgraded facilities within the railway station.

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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:

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

Against the recommendation:

None.

Abstentions:

None.

RESOLVED

Permit subject to the completion of a Section 106 agreement (as detailed in report PES/362b) and the conditions and informatives set out in the report, including a new condition 26 as follows:

The flats hereby approved shall not be occupied until details of security and access arrangements for the residential lobby, the adjacent corridor to the west of the lobby, the cycle store and the fire escape staircase to the west have been submitted to and approved in writing by the Local Planning Authority. These arrangements shall remain in force for the lifetime of the development unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity and security for future residents in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

6. Planning Application CR/2019/0661/FUL - Railway Footbridge, Station Way/East Park, Crawley

The Committee considered report [PES/362c](#) of the Head of Economy and Planning which proposed as follows:

Proposed re-alignment of pedestrian bridge to include repair & remedial works.

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

The Principal Planning Officer (HW) provided a verbal summation of the application, which was regarding the proposed refurbishment of the footbridge over the railway line (in relation to applications CR/2019/0602/ARM and CR/2019/0660/FUL).

Committee members noted that the statement submitted by the Arora Group in regard to application CR/2019/0602/ARM also applied to the application before them.

The Committee then considered the application. Committee members noted that the removal and repairs were estimated to take approximately 20 weeks. However the developer predicted that there may be no public access via the footbridge for approximately two years due to construction works on the north side of the railway line, which would make public access unsafe. The Committee discussed the plausibility of alternative arrangements during this time. Provision of a temporary bridge was not realistic due to the proximity to the construction site at Overline House, and the bridge could not be repaired in place due to safety concerns related to the

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railway line. The Committee welcomed an idea that public access across the railway line be provided via the station footbridge; but this was outside of the remit of the planning application and subject to discussions with Network Rail.

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:

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

Against the recommendation:

None.

Abstentions:

None.

RESOLVED

Permit subject to the completion of a Section 106 agreement (as detailed in report PES/362c) and the conditions and informatives set out in the report.

7. Planning Application CR/2020/0155/FUL - Easistore, Maidenbower Office Park, Balcombe Road, Maidenbower, Crawley

The Committee considered report [PES/362d](#) of the Head of Economy and Planning which proposed as follows:

Erection of 4 storey extension.

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

The Principal Planning Officer (VC) provided a verbal summation of the application, which sought permission for an extension to the southern and eastern sides of the existing Easistore building. The Planning Officer explained that comments from the Drainage Officer were yet to be received, so the decision before the Committee was to delegate the decision to the Head of Economy and Planning with a view to granting permission, based on the comments received by the Drainage Officer and to include a specific drainage condition if required.

The Committee then considered the application. Following a query from a Committee member, the Planning Officer confirmed that the proposal did not provide further car parking spaces at the site; this was deemed acceptable given the specific occupier and the nature of their business. . Parking and the outside storage areas were covered by a condition that required provision to be in line with the agreed plans. The Officer also explained that the expansion of the site would contribute to the local economy and was therefore in line with the Council's economic growth policies.

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:

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

Against the recommendation:
None.

Abstentions:
None.

RESOLVED

Delegate the decision with a view to granting planning permission subject to the conditions and informatives set out in report PES/362d, and with the inclusion of a suitable drainage condition if deemed necessary.

8. Planning Application CR/2020/0274/FUL - Ambulance Station, Ifield Avenue, West Green, Crawley

The Committee considered report [PES/362e](#) of the Head of Economy and Planning which proposed as follows:

Demolition of existing ambulance centre and erection of 39 flats with associated parking and amenity space.

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

The Principal Planning Officer (HW) provided a verbal summation of the application, which consisted of one block of flats and 22 car parking spaces with amenity space in the form of a central courtyard and roof terraces. The Officer updated the Committee that further discussions with the applicant had led to amendments to the recommendation, which sought to delegate authority to the Planning Officer for amendments to noise conditions and to agree the final refuse and recycling store layout, as well as elevation detailing. There had also been minor amendments to the wording of condition 13 and informative 2 since the publication of the report.

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

A statement from the applicant, Tkei Homes, highlighted matters in support of the application including:

- The ecological elements of the building's design; including an internal courtyard/green space, green walls, and roof terrace. The existing woodland to the north east of the site was to be retained.
- The provision of 12 affordable housing units, which had been proposed following appraisals and discussion with the Local Planning Authority.
- The building had been designed to take into consideration noise, ecology, and arboriculture issues, and for its appearance to complement the local streetscene.

A statement from Ian Harrison, a neighbour of the site, highlighted matters in objection to the application including:

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- Objections not to the building itself, but to the proposed number of car parking spaces. The provision of 22 spaces for 39 flats was insufficient as each flat occupier could own at least one car.
- Possible crowding caused by future occupiers parking on nearby streets.
- A suggestion that the existing pedestrian crossing be moved and traffic lights be installed at the site's exit on to Ifield Avenue – further traffic joining an already busy road system could be dangerous.

The Committee then considered the application. General support was expressed for the design and appearance of the building, the proposed amenity space, and the inclusion of solar panels. In response to a question about the possibility of unauthorised access to the bicycle storage area via the perforated walls, the Planning Officer suggested that further details could be sought from the applicant to confirm that the design did not allow for this.

Committee members discussed the development's proposed access. It was recognised that a balance needed to be sought between retaining a safe pedestrian crossing, ensuring efficient access to the site, and preventing further traffic on busy surrounding roads. WSCC as the Highways authority had no objection to the site and had not requested changes to the road system or pedestrian crossings. Concerns were also raised about the provision of parking spaces, which was lower than required by the Local Planning Authority's parking standards. This was alleviated, however, by the site's sustainable location.

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:

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

Against the recommendation:

None.

Abstentions:

None.

RESOLVED

Permit subject to a Section 106 agreement as detailed in report PES/362e, and the conditions and informatives set out in the report including amended condition 13 and amended informative 2 as follows:

Condition 13: *The Bird Hazard Management Plan dated April 2021 shall be implemented as approved, upon completion of the roofs and shall remain in force for the life of the buildings. 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.

Informative 2: *Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the*

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applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email: lqwcranes@gatwickairport.com. For further details please refer to CAP 1096 'Guidance to Crane Operators on Aviation Lighting and Notification' available at www.caa.co.uk.

and delegate authority to Planning Officers to finalise the wording of the conditions relating to noise and to agree the scheme's detailing of the refuse and recycling store and related elevation detailing.

9. Planning Application CR/2020/0313/FUL - T and N MOTs Ltd, Ground Floor, 9 Reynolds Road, West Green, Crawley

The Committee considered report [PES/362f](#) of the Head of Economy and Planning which proposed as follows:

Increase in head height of new garage/workshop following partial demolition of existing workshop (amended description).

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

The Principal Planning Officer (VC) provided a verbal summation of the application, which related to an increase in head height to one of the workshop areas of the motor garage, to make possible the installation of a lift or ramp to facilitate vehicle repairs. The application had initially sought changes to the opening hours of the premises, but this element had been removed and therefore no longer formed part of the application before the Committee.

In line with the Council's Virtual Committee Procedure Rules, a statement submitted in regard to the application was read to the Committee.

The statement, from James Wells (a neighbour of the site), highlighted matters in objection including:

- The proposals could lead the applicant to take on more work at the site, increasing the already high noise levels caused by the garage's operations.
- The potential for increased traffic and cars parked along Reynolds Road caused by visitors to the garage. This could lead to more hazardous parking, traffic accidents, higher pollution levels, and more potholes in the road.
- Overshadowing and loss of views, privacy, and sunlight from neighbours' gardens due to the proposed increase in the height of the building.

The Committee then considered the application. In response to a query from a committee member, the Planning Officer confirmed that the relevant bodies had been made aware of concerns regarding the storage of tyres at the site.

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:

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

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Against the recommendation:
None.

Abstentions:
None.

RESOLVED

Permit subject to the conditions and informatives set out in report PES/362f.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 11.10 pm

J Purdy (Chair)

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Agenda Item 5

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 29 June 2021
REPORT NO: PES/372(a)

REFERENCE NO: CR/2021/0248/FUL

LOCATION: [THE BASE, FLEMING WAY, NORTHGATE, CRAWLEY](#)

WARD: Langley Green & Tushmore

PROPOSAL: DEMOLITION OF THE EXISTING BUILDINGS AND REDEVELOPMENT OF THE SITE TO PROVIDE TWO BUILDINGS (USE CLASS B8 - STORAGE OR DISTRIBUTION) WITH ANCILLARY OFFICES, PARKING AND SERVICE YARDS, NEW SITE ACCESS, LANDSCAPING, BOUNDARY TREATMENTS AND ASSOCIATED WORKS

TARGET DECISION DATE: 6 July 2021

CASE OFFICER: Ms D. Angelopoulou

APPLICANT'S NAME: PREC Crawley Prop. Co. S.A.R.L

AGENT'S NAME: WSP in the UK

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
C227/3000	pl1	Location Plan
C227/3001	pl1	Existing Site Plan
C227/3002	pl1	Existing Elevations
C227/3005	pl1	Proposed Demolition Plan
C227/3007	pl	Proposed Site Plan (coloured)
C227/3008	pl1	Proposed Site Sections Sheet 01
C227/3009	pl1	Proposed Site Sections Sheet 02
C227/3012	pl1	Typical Fence Detail
C227/3022	pl1	Unit 1 Ground Floor Core Plan
C227/3023	pl1	Unit 1 First Floor Core Plan
C227/3024	pl1	Unit 1 Plant Deck Plan
C227/3026	pl1	Unit 1 Ground Floor General Arrangement Plan
C227/3027	pl1	Unit 1 First Floor General Arrangement Plan
C227/3028	pl1	Unit 1 Plant Deck General Arrangement Plan
C227/3029	pl1	Unit 1 Roof General Arrangement Plan
C227/3035	pl2	Unit 1 South & West Elevations As Proposed
C227/3036	pl2	Unit 1 North & East Elevations As Proposed
C227/3037	pl1	Unit 1 Typical Cross Sections
C227/3047	pl1	Unit 2 Ground Floor Core Plan
C227/3048	pl1	Unit 2 First Floor Core Plan
C227/3049	pl1	Unit 2 Plant Deck Core Plan
C227/3051	pl1	Unit 2 Ground Floor General Arrangement Plan
C227/3052	pl1	Unit 2 First Floor General Arrangement Plan
C227/3053	pl1	Unit 2 Plant Deck General Arrangement Plan
C227/3054	pl1	Unit 2 Roof General Arrangement Plan
C227/3060	pl	Unit 2 South And West Elevations As Proposed
C227/3061	pl2	Unit 2 North And East Elevations As Proposed
C227/3062	pl1	Unit 2 Typical Cross Sections

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CONSULTEE NOTIFICATIONS & RESPONSES:-

<u>Type</u>	<u>Comments</u>
1. GAL Aerodrome Safeguarding	No objection subject to conditions and an informative.
2. Environment Agency	No objection subject to conditions.
3. WSCC Highways	No objection subject to conditions and informatives.
4. National Air Traffic Services (NATS)	No objection.
5. Thames Water	No objection subject to a condition and informative.
6. Sussex Building Control Partnership	No response received.
7. Forestry Commission	No objection.
8. Police	Comments in relation to designing out crime received.
9. CBC Drainage Officer	No objection subject to a condition.
10. CBC Planning Arboricultural Officer	No objection subject to a condition.
11. CBC Environment Team	No response received.
12. CBC Contaminated Land Officer	No objection subject to a condition.
13. CBC Environmental Health Officer	No objection.
14. Crawley Cycle & Walking Forum	Comments regarding the importance of providing visible and accessible visitor cycle parking and electric bike charging facilities.
15. Southern Water Ltd	No objection subject to a condition.
16. CBC Energy Efficiency & Sustainability	No objection subject to conditions.
17. CBC Urban Design	No response received.
18. Ecology Advisor	No objection subject to conditions.
19. WSCC Lead Local Flood Authority	No objection.
20. CBC Manor Royal	No objection.
21. CBC Air Quality Officer	No objection subject to conditions.
22. The Gatwick Diamond Initiative	No response received.
23. CBC Economic Development	No objection.
24. Manor Royal Business District	No objection, but comments received in relation to micropark/superhub project and sustainability.
25. WSCC Fire & Rescue	Comments received.
26. The Woodland Trust	No response received.

NEIGHBOUR NOTIFICATIONS:-

The application has been advertised through an advert in the local press on 28/04/2021 and by site notices displayed in front of the site on 28/04/2021 (with expiry date on 20/05/2021).

RESPONSES RECEIVED:-

None received.

REASON FOR REPORTING TO COMMITTEE:-

The application is a major development.

THE APPLICATION SITE:-

- 1.1. The application site is the Virgin Atlantic building and associated car parking and landscaping, situated on the northern side of Fleming Way, covering 4.20ha. The building of approximately 21,000sqm floorspace, is located towards the middle of the site, and there are hardstanding areas for car parking and servicing around the building. There are several protected trees within the site (TPOs ref: 16.6.17 and 16.6.58) particularly in the eastern side of the site and along its northern

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boundary. A large protected oak tree is located in front of the site, adjacent to Fleming Way, close to its eastern boundary. Further to the north-east of the site, some 150m away, is Rowley Wood Ancient Woodland and Hydehurst Furze an area of woodland that is protected by a Tree Preservation Order.

- 1.2. Vehicular access to the site is provided from Fleming Way from three points. The main vehicle access is at the south-eastern end of the site. Vehicles then travel on a one way system towards the north which then turns west close to the northern boundary and south close to the western boundary. The main exit from the site is via a controlled junction in the south-west corner onto Fleming Way. The third point of access is approximately 33m to the west of the main access in the south east corner of the site and adjoins a small area of hardstanding to the front of the building. It has no entry signs on it and does not appear to be used for parking. Parking is provided to the north-east, north, north-west and west of the building.
- 1.3. The site lies within the Manor Royal Main Employment Area as defined by Policy EC3 in the Crawley Borough Local Plan 2015-2030. The site also lies within a Priority Area for a District Energy Network (Policy ENV7) and within the Long Distance Viewpoint from Target Hill (Policy CH8). The Council's records identify the site as contaminated land. It is also within the Gatwick Airport and National Air Traffic Services (NATS) safeguarding zones. Buildings within this area exceeding 10m in height require consultation with Gatwick Airport Limited (GAL) and NATS. The site is also covered by an Article 4 Direction removing certain permitted development rights.
- 1.4. To the south is the footpath/cyclepath forming a part of the adopted public highway. This land is owned by West Sussex County Council. To the east lies Diamond Point, a two storey flight training facility with to the west, The Fleming Centre containing commercial uses. To the south on the opposite side of Fleming Way are some office and industrial uses and to the north is the Tesco.Com distribution depot.

THE PROPOSED DEVELOPMENT:-

- 2.1. The proposal is for the demolition of the existing building and redevelopment of the site to provide two storage/distribution (B8 use class) buildings with ancillary offices, parking and service yards, new site access, landscaping, boundary treatments and associated works. The proposal would provide a total internal floor-space of around 21,400 m² including ancillary first floor offices. The two buildings would face Fleming Way with a 20m separation distance from the highway. The Units would have a 10.7m separation distance and a maximum height of 15.8m. They both would have a splayed roofline which would vary from 13.7m to 15.8m in height.
- 2.2. Access would be from Fleming Way via a new shared entrance at the centre of the site frontage. This is the only new junction proposed as the three existing entrances are proposed to be retained unaltered.
- 2.3. Unit 1 (eastern) would measure 70.9m in length and 103m in width, providing approximately 8,000sqm of internal floorspace in total. Of this floorspace 733sqm would be the ancillary offices on the first floor. It would be set away 3.2m from the site's eastern boundary, which would be marked by a 2.4m high mesh fence. It would utilise the new shared access onto Fleming Way to also egress from the site. This entrance/exit would lead to an area of car parking and secure service yard towards the rear (north) of the building. There would be additional car parking to the front (south) of Unit 1. A total of 94 car-parking spaces, 30 cycle parking spaces and 3 motorcycle spaces would be provided.
- 2.4. Unit 2 would be the larger of the two buildings, and would measure 98.4m in length and 123.6m in width, providing 13,000sqm of internal floorspace in total with 1,230sqm of this as ancillary offices on the first floor. It would be set away 8.7m from the site's western boundary, which would be marked by a 2.4m high mesh fence. This Unit would adopt a one-way circulation route using the new point of access and the existing exit arrangement from close to the site's western boundary. The service yard and some car parking would be provided to the rear (north) of the unit. There would be additional car parking to the front (south) of the building. A total of 122 car-parking spaces, 50 cycle parking spaces and 6 motorcycle spaces would be provided.

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- 2.5. The proposal would involve the loss of 6 protected trees and in total 10 trees (protected and not protected) from the eastern side of the site.
- 2.6. The following documents have been submitted in support of the application:
- Design and Access Statement
 - Planning Statement
 - Transport Assessment
 - Construction Management Plan And Demolition Statement
 - Interim Workplace Travel Plan
 - Arboricultural Impact Assessment & Method Statement
 - Air Quality Assessment
 - BREEAM Pre-Assessment
 - Crime Impact Statement
 - Ecological Assessment
 - Energy Strategy
 - External LED Lighting Assessment
 - Glint And Glare Assessment
 - Landscape Strategy Report
 - Noise Impact Assessment
 - Preliminary Risk Assessment And Geo Environmental
 - Remediation And Verification Strategy
 - Site Services Overview Report
 - Covering Letter
 - Flood Risk Assessment And Drainage Strategy
- 2.7. A Stage 1 Road Safety Audit, an updated Construction Management Plan and Demolition Statement (to include the requirement of cranes requested by GAL), an updated Interim Workplace Travel Plan and a Bird Hazard Management Plan have been submitted during the consideration of the application to address identified issues.

PLANNING HISTORY:-

3.1 There is no recent relevant planning history but it is noted that application ref: CR/2004/0646/FUL (erection of raised roof structure) had an informative that this permission shall not purport or be deemed to authorise a change of use from the lawful industrial use to an education and/or training use.

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 6 – Building a strong, competitive economy. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
 - Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.

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- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Section 14 of the NPPF deals with meeting the challenge of climate change, flooding and coastal change. Paragraphs 155-165 set out a sequential, risk based approach to flooding and the location of development, which takes account of climate change. The NPPF seeks to avoid increasing flood risk elsewhere and seeks the use of sustainable drainage systems in major developments.
- Section 15 – ‘Conserving and enhancing the natural environment’ - includes advice on ground conditions and pollution.

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 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 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 CH8: Important Views. The application site is within Target Hill Long Distance Views and this Policy states that 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.
 - Policy EC1: Sustainable Economic Growth. Crawley’s role as the key economic driver for the Gatwick Diamond will be protected and enhanced. The council will ensure that all suitable opportunities within the borough are fully explored to enable existing and new businesses to grow and prosper.
 - Policy EC2: Economic Growth in Main Employment Areas. This policy recognises the significant contribution that the town’s employment areas make to its economy and that of the wider area, and protects against net loss of employment floorspace.
 - Policy EC3: Manor Royal. Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. 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. 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. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design

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and landscaping that is in accordance with the Mañor Royal Design Guide Supplementary Planning Document.

- Policy ENV1: Green Infrastructure. It states that Crawley's multi-functional green infrastructure network will be conserved and enhanced through a number of measures including maximising opportunities to maintain and extend infrastructure links and requiring large proposals to provide new, or create links to, green infrastructure where possible.
- Policy ENV2: Biodiversity. All development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- Policy ENV6: Sustainable Design and Construction. All development must consider how it can address sustainability through reducing energy consumption, using renewable and low carbon energy, improving existing buildings when adding extensions, minimising carbon emissions during development and ensuring embedded carbon is retained and considering District Heat Networks, water stress and temperature extremes. A Sustainability Statement should be submitted demonstrating how sustainability has been addressed through design and construction. 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. Proposals on all sites of 1 hectare or greater are to be accompanied by a Flood Risk Assessment, to include detail of mitigation demonstrating how surface water drainage from the site will be addressed.
- Policy ENV9: Tackling Water Stress. 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.
- Policy ENV12: Air Quality. Development proposals that do not result in a material negative impact on air quality will normally be permitted.
- Policy IN1: Infrastructure Provision. Development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2: Strategic Delivery of Telecommunications Infrastructure states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- Policy IN3: Development and Requirements for Sustainable Transport. Development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.
- Policy IN4: Car and Cycle Parking Standards. 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.

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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 and remains ongoing, and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- 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 CL7: Important and Valued Views
- 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 IN3: Supporting High Quality Communications
- Policy EC1: Sustainable Economic Growth
- Policy EC2: Economic Growth in Main Employment Areas
- Policy EC3: Manor Royal
- Policy EC5: Employment and Skills Development
- 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 following 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 SPD (July 2013)

4.5. This document constitutes the planning guidance in relation to the Manor Royal Business District to ensure new development makes a significant contribution to the uplift of the area and secures of high quality development which supports its 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 particular, it requires all development to demonstrate the following that:

- New buildings to be of high quality design and urban design.
- Proposals seek to provide active frontages to routes.
- Materials and finishes are of high quality.
- Proposals to achieve a high level of security.
- Surface Water drainage is considered.
- Water efficiency measures are considered.
- The development must positively contribute to the landscape and identity of Manor Royal.
- Proposals should ensure that robust boulevard tree planting is provided within the public realm wherever possible and within the frontage of private plots.

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- 4.6. The document emphasises the importance of landscaping as a key consideration in creating a sense of place for Manor Royal and improving the quality of the public realm. This is through achieving robust and consistent frontages along Manor Royal to improve the quality of the environment. It requires parking and servicing to be adequate to meet the needs of the development and to consider landscaping and seek to reduce monotonous surfacing of parking areas. Boundary treatments must be appropriate in scale and context with landscaping to reduce the visual impact of fences and barriers.
- 4.7. Fleming Way 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. This SPD states in this regard that:

'In general terms, the width of the existing carriageway is 11.5m carriageway with grassed highway verges varying in depth from 1 to 5m. The purpose of on-site frontage planting here would be to supplement the roadside verges where there may also be potential for further improvements, such as introducing additional large-scale trees. The minimum depth of on-site planting requirement here is for 4m of shrub planting across the entire primary route site frontage with fastigate trees at 15m spacing. Buildings should be set back from the site frontage boundary by a minimum of 10m to allow space for trees to mature and to create sufficient space between the public footway and new development. The portion of the set back depth that is not required for planting could accommodate other uses, such as part of a parking area, taking account of general guidance on the location of on-plot parking in this SPD.'

Urban Design SPD (adopted October 2016)

- 4.8. The Urban Design SPD contains guidelines on the standards the Council expects for the public design highlighting in particular the importance of massing and materials, the public realm, street design, parking and sustainable design. In addition, it states that applicants and developers are encouraged to consider all the end users and that a development and any associated public realm will strive to cater to all groups (children and young people, the elderly, disabled people etc.).
- 4.9. In respect of non-residential development para 3.26 states:
- "The layout of non-residential development is particularly important to their success. This should address the street and the public realm in a considerate manner and not turn their back on the existing streetscape and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric. Active frontages are particularly important to the vitality of the streetscape and the success of commercial and retail uses and should be incorporated within the design from the start".*
- 4.10. For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings to the street is encouraged along with opportunities to improve the urban environment and use of landscaping.
- 4.11. It also includes in Annex 1 the Borough's indicative minimum parking standards. For B8 warehousing the requirements are:
- Car parking – 1 space per 100 sq. m
 - Lorry parking – 1 space per 500 sq. m
 - Disabled parking – 1 space or 5% total provision
 - Cycle parking – 1 space per 500 sq. m for staff and 1 space per 1000 sq. m for visitors
 - Motorcycle parking – 1 space per 10 car parking spaces.

Green Infrastructure SPD 2016:

- 4.12. 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. The document also links to the Urban Design SPD and in respect of considering landscaping as part of high quality design.

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Planning and Climate Change SPD 2016:

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

Developer Contributions Guidance Note (published July 2016)

- 4.14. 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)

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

PLANNING CONSIDERATIONS:-

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

- The principle of development
- The design and appearance of the proposal, landscaping and impact on street scene and wider area
- Protected trees, ecology and landscaping
- Whether development can meet its operational needs including access, impact on highways and parking
- The impact on amenity of neighbouring properties/occupiers
- Flood Risk and Drainage
- Sustainability
- Air Quality
- Contaminated Land
- Developer's contributions
- Gatwick Airport safeguarding.

The principle of development

- 5.2. The application site is situated within the Manor Royal Main Employment Area as defined by Local Plan Economic Policies EC1, EC2 and EC3. Policy EC3 places a clear focus on the delivery of business uses in Manor Royal, seeking to protect and reinforce its core business function by promoting development within the B use classes, and encouraging the reuse and intensification of land or buildings within the main employment area.
- 5.3. The proposed development would involve the demolition of the soon to be vacant Virgin Atlantic building (21,030sqm) and its replacement with two warehouse buildings with ancillary offices. These would provide 21,422sqm business floorspace in total, representing a small increase of 392sqm over the existing floorspace on site. In redeveloping the site to provide new warehouse buildings for business use, the application would add to the overall stock and range of premises at Manor Royal, helping to strengthen its offer as a business district.
- 5.4. As the proposed development is for the creation of additional storage and distribution (B8 use class) floorspace, within the Manor Royal employment area, the proposal is considered to accord with Local Plan Policies EC1, EC2 and EC3 and would maintain the provision of land for business uses in Manor Royal. The principle of the development is therefore considered to be acceptable.

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

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- 5.5. Policies CH2, CH3 and EC3 require that all development should contribute positively to the overall setting and environment of Manor Royal through high quality design and landscaping. Policy EC3 specifically makes reference to the Manor Royal Design Guide SPD (MRSPD), and it affords this document significant weight. The design and landscaping of any development at this site would need to be carefully considered at this prominent location, particularly given its extensive and highly visible frontage onto Fleming Way, which is identified in the MRSPD as a Primary Road.
- 5.6. The units are proposed to be set back at 20m from Fleming Way compared to the single existing Virgin Atlantic building, which is currently set back 4m from the road. The MRSPD states that buildings should be set back from the site frontage boundary by a minimum of 10m, and the minimum depth of on-site planting requirement should be 4m of shrub planting across the entire primary route site frontage with fastigate trees at 15m spacing. The proposal would therefore significantly exceed the recommended 10m level of set back in the MRSPD and would also propose appropriate planting as required by the MRSPD.
- 5.7. The site frontage along Fleming Way measures approximately 250m in width and the proposed two units would span the 226.6m width, leaving a 10.7m gap between them that would provide access to the rear. To the east of Unit 1 there would be a 3.2m gap to the boundary and to the west, unit 2 would leave a 8.7m gap to the western boundary. The proposed units would have a 15.8m maximum height and as a result, at this resultant height and width, the proposal could appear prominent within the streetscene of Fleming Way.
- 5.8. However, the proposed buildings would be setback from Fleming Way by 20m and would introduce a roofline that would vary from 13.7m to 15.8m in height. It is proposed to finish the buildings in composite cladding and there would be variations in the cladding design in the form of pixelated patterning that would fade from dark to light grey. The main entrances and building cores have been positioned onto the prominent returns and would provide architectural articulation to the corners of the buildings. The main entrances and cores of each building would have full height (two storey) curtain wall sections positioned on their western corners, providing focal points and way markers for visitors and staff entering the site. The units would accommodate ancillary office areas at first floor level with rows of windows on the elevations facing Fleming Way. Vertical sections of curtain walling have been proposed within the elevations of both buildings to break up the length of the elevations. The proposed vertical glazing for the transparent curtain walling would be of the same type as the glazing proposed for the offices and entrance foyers.
- 5.9. The proposal, with its combination of landscaping buffer along the frontage at ground level along with full height curtain walls and vertical glazing, materials of varying colours and roof design, is considered to provide interest and active building frontages along Fleming Way. The resulting development would be considered to be acceptable and would not be harmful to the visual amenities of the streetscene, and would therefore be acceptable.
- 5.10. Manor Royal Business Improvement District (BID) in their consultation response commented that there are currently two inter-related projects - the MicroPark Trail Project and Super Hub Bus Stop Project - to enhance the public realm and facilities available to businesses and employees of Manor Royal. The site on Fleming Way outside the application site has been identified as an area that could host both a super hub bus stop, (at the road side), and an "exemplar" micropark. The project had support in principle from the previous owner and there are draft plans to provide these facilities. The project is important to the overall ambition to provide access to decent outdoor space and seating for every employee from any business within a 5 minute walk in this area. This matter has been brought to the attention of the applicants as they included within the application site the private grassed land in front of the Virgin Atlantic building which was part of this project. The applicants have responded that with Virgin disposing of its interest in the site and a new owner looking to bring forward new investment in a B8 development, the practicalities are somewhat altered and the opportunity to deliver the extensive Virgin proposal had gone. However, the applicants have sought to incorporate some of the micropark principles and provided an indicative proposal of the type of landscaping which includes varied seating, public art and additional planting. As this is for illustrative purposes at this stage and discussions are ongoing with the BID to provide an amended proposal. The applicants have agreed to enter into a S106 legal agreement in order that land can be made available to provide the micropark/super hub bus stop if the BID continues with the project. Officers

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note that this indicative proposal appears to provide a more limited area to achieve an 'exemplar' micro-park in this location as required by the BID project which is disappointing and it is considered that the proposals would not contribute to the public realm enhancements and facilities at Manor Royal as successfully as the proposals that had in principle agreement from the previous owners of the site. It is however accepted that the new owners are still engaging with the BID in terms of the provision of some enhanced facilities at this site.

- 5.11. In addition, the site is also within the Long Distance View Splays from Target Hill as identified by the Local Policy CH8. It is not considered that the proposal in this location would obstruct these views, given its two storey height. The Planning Statement states in this regard that: *'having undertaken a walking survey of Target Hill in the winter months when the trees were not in leaf, not only is the application site not visible from view point identified on the proposals map, the application is not visible from any other point on Target Hill due to the woodland and planting density. The environmental protection afforded to Target Hill has been successful in preventing any development of the site and allowed the woodland trees to thrive to such an extent there are now no views of Crawley from this location.'*
- 5.12. Overall, the buildings' siting, design, size, massing and landscaping are considered acceptable within Manor Royal Industrial Estate. The palette of materials is also considered to be acceptable. As a result, the proposal would accord with the relevant policies within the Crawley Borough Local Plan 2015-2030 and the Manor Royal SPD.

Protected trees, ecology and landscaping

- 5.13. Local Plan Policies CH2, CH3 and EC3, the Manor Royal SPD and supporting the Public Realm Strategy places considerable emphasis on enhancing private landscaped areas along the road frontages and internally within the sites. At the same, the Manor Royal SPD states that all development proposals on a primary road, such as Fleming Way, should demonstrate how they increase biodiversity and ecological values, through ecological improvements, how they use large specimen trees to match/compliment species in adjoining public realm, how they ensure internal landscape appropriate to adjoining land but ecologically orientated etc. Policy ENV2 states that all development proposals will be expected to incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features of nature conservation value within and around the development.
- 5.14. Overall the site contains 23 individual trees and 5 groups of trees, of which 14 individual trees and 2 groups of trees are protected. The protected trees are situated around the site particularly towards the eastern side and along its northern boundary. A large protected oak tree is located in front of the site, which is proposed to be retained. Further to the north-east of the site, some 150m away, is Rowley Wood Ancient Woodland and Hydehurst Furze an area of woodland that is protected by a Tree Preservation Order. The proposal would involve the loss of six protected trees and 4 unprotected trees, in total 10 trees.
- 5.15. An Arboricultural Impact Assessment and Method Statement, including a Tree Protection Plan, has been submitted that addresses the retention of the trees within the site. To compensate for the loss of the trees and their habitats, the application is also accompanied by a Landscape Strategy and an Ecological Assessment.
- 5.16. The landscaping proposals would include the provision of an extensive buffer to the northern boundary treeline that would both enhance its value as an ecological asset in its own right, as well as strengthening its links with connected Green Infrastructure within the wider area, including pockets of Ancient Woodland and the identified Ancient Hedgerow network. This would be achieved through the planting of native trees, dense scrub and grassland habitats.
- 5.17. Other landscaping measures to be provided on site would include for species-rich boundary hedgerow planting, grassland creation, additional tree planting, shrub planting and the use of Green Roof bike shelters.
- 5.18. The current opportunities for protected species within the site are limited to nesting opportunities for bird species as well as two trees that have been identified to have a low potential to support roosting

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bats. No evidence of any other protected or notable species was recorded within the application site. A number of faunal specific ecological enhancements are to be delivered, including for:

- i) Bats – New tree / hedgerow planting and enhancement of northern treeline to promote bat dispersal routes between the site and Green Infrastructure within the wider area, implementation of a sensitive lighting scheme, strategic installation of six bat roosting features on suitable trees throughout the site.
- ii) Birds – New tree / hedgerow planting, enhancement of retained trees and treelines to ensure a net gain in foraging and nesting habitat targeted at smaller ‘garden’ birds, strategic installation of eight nesting features across suitable trees throughout the site. Any scrub / tree / suitable building removal should occur outside of the nesting season (i.e. between September to February), however, if any were to occur during the nesting season, a suitably qualified ecologist should be appointed to carry out nesting bird checks within an appropriate timeframe beforehand.
- iii) Invertebrates – New tree / hedgerow planting and the use of flowering plant species throughout plot areas, creation of species-rich grassland, inclusion of log-piles to provide new and improved opportunities for invertebrate species.

- 5.19. The Council’s Ecology Advisor has no objection and has commented that in the long-term the proposed loss of trees can be compensated for by habitat enhancements. Two conditions in relation to biodiversity protection and mitigation measures, and an enhancement and management plan for biodiversity features are recommended.
- 5.20. The Council’s Arboriculture Officer has no objection to the removal of the protected trees T5 & T6, T7-T9 and G1, as it is considered that they have limited amenity to the wider public due to their location behind the existing building and that they do not therefore pose a constraint to this development. The impact of the development, during and post development, on the retained trees would be acceptable, provided all works are in accordance with the submitted Arboricultural Method Statement and Tree Protection Plan. A condition is recommended in this regard.
- 5.21. Overall, given the proposed landscape strategy and proposed ecological enhancements, it is considered that the removal of several protected trees should be balanced against the overall benefits of the development and the proposal is therefore considered to be acceptable and would comply with the relevant Local Plan Policies, and the Manor Royal SPD.

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

- 5.22. Access to the new development is shown at four locations – three of which are in their existing locations with one new to be located almost centrally on the frontage of the application site with Fleming Way. The existing access running along the eastern boundary of the site is to be truncated and only used for access to an electricity sub-station.
- 5.23. WSCC Highways has no objection to the proposal and comments that the submitted Road Safety Audit has not identified any road safety-related issues. As the access on the western side of the site (shown as egress-only via existing traffic signals) would now be used for HGVs as well as cars, the signal control equipment would require modification to be able to provide more time to permit HGVs to exit the junction given their length and slower exit time compared to cars. An informative is recommended in this regard relating to requirements to comply with Section 59 of the 1980 Highways Act - Extra-ordinary Traffic. WSCC Highways requested all the additional measures to be included in the finalised Travel Plan that would need to be secured via a S106 legal agreement along with its monitoring fee.
- 5.24. WSCC Highways also commented that the traffic flows to and from the development, taken over the peak-periods as identified in the Transport Assessment would be less than the traffic flows of the existing development when in full use. In addition, it considers that the proposed parking numbers would be acceptable. Overall, WSCC Highways raised no objections to the proposal subject to conditions securing the access, car, lorry and cycle parking, elective vehicle charging parking, turning space and construction management plan along with informatives.
- 5.25. The application site is in a sustainable location, adjacent to the existing bus and cycle facilities on Fleming Way. The majority of Fleming Way is subject to double yellow line waiting restrictions with

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very limited on-street parking near the site. The site is also considered to be in a good location to encourage sustainable travel amongst the workforce being readily accessible by Fastway and within acceptable walking distance of local train services. The Manor Royal estate also has a good network of footpaths and crossings to promote sustainable travel. The proposed development is for B8 (storage or distribution) and in terms of car (including disabled), cycle, lorry and motorcycle parking provision meets the Council's adopted minimum parking standards. These are set out in the following table:

Unit	Cars (1 space per 100sqm) Disabled(a minimum of one space or 5% of total parking provision)		Lorries (1 space per 500sqm – 1 space minimum)		Cycle (1 space per 500sqm for staff, 1 space for 1000sqm for visitors)		Motorcycle (1 space minimum+ 1 space / 10 car parking spaces)	
	Standards	Provision	Standards	Provision	Standards	Provision		
1: 8,035 sqm	81	89 5 disab.	16	20	16+8=24	30		3
2: 13,387 sqm	134	115 7 disab.	27	29	27+14=41	50		6
Total: Both units 21,422 sqm	215	216	43	49	65	80		9

5.26. The proposal would also provide electric vehicle charging points; 16 for Unit 1 and 26 for Unit 2, which is welcomed in future proofing the proposed development to enable it to meet the growing demand for these types of vehicles.

5.27. Overall, subject to conditions, the proposal is considered acceptable in transport and highways terms and the proposal would meet the minimum parking standards and its operational requirements in accordance with the relevant Policies and the Urban Design SPD.

The impact on amenity of neighbouring properties/occupiers

5.28. The surrounding area is industrial and commercial in its nature and appearance. Immediate neighbours are therefore unlikely to suffer disturbance from the proposal. There are no residential dwellings in the near vicinity, it is therefore considered that the proposed development would not be detrimental to the amenities of neighbouring occupiers.

Flood Risk and Drainage

5.29. The proposed development site is a brownfield site with buildings and the majority of the remaining site area laid to hardstanding. The site is located within Flood Zone 1 and is an area with low potential of flooding. The existing developed site has several surface water drainage connections to Thames Water infrastructure which ultimately connects to Crawters Brook to the east. The submitted Flood Risk Assessment and Drainage Strategy shows that sustainable drainage techniques in the form of below ground attenuation with a restricted discharge to the main Thames Waters sewer would be used to control the flow of surface water out of the site to 50% of the existing brownfield rate.

5.30. Thames Water have requested a condition to be attached to confirm that either all surface water network upgrades have been completed or a development and infrastructure phasing plan has been agreed with the LPA and Thames Water, as it appears that network reinforcement works are likely to be required to accommodate the proposed development to avoid flooding and/or potential pollution incidents. The Council's Drainage Officer raised no objection to the proposal and commented that a reduction of 50% from the pre-development surface water flow rate as part of the surface water management plan is acceptable and in line with the WSCC surface water management policy.

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- 5.31. Subject to Thames Water required condition and the implementation condition recommended by the Council's Drainage Officer, it is considered that the proposal would not result in an adverse impact in regard to flood risk or drainage in accordance with Local Plan Policy ENV8.

Sustainability

- 5.32. The proposal is accompanied by an Energy Strategy and a BREEAM Pre-Assessment Document. The Energy Strategy responds to Policies ENV6 and ENV7 in the following terms:
- Slight improvements to building fabric performance compared with Building Regulations limiting values, and additional improvements compared with Building Regulations standards in respect of air tightness and efficiency of the ventilation services;
 - Energy efficient LED lighting to be installed in the office areas, although seemingly lighting is not to be specified in the warehouse areas as part of the base specification;
 - The development is proposed to be 'future proofed' for connection to a future district energy network through inclusion of:
 - Suitable location for the district energy network to enter the building and connect to a future heat interface unit;
 - Route for the network from the site boundary identified as safeguarded for a future pipework route;These do not appear to be identified in the current drawings.
 - 208kWp of solar photovoltaic provision on the roof, spread across the two buildings;
 - Air source heat pumps are proposed for provision of heating and cooling to the office areas
- 5.33. The strategy is considered acceptable in principle for the purposes of Policies ENV6 and ENV7. The provision of further details regarding the 'future proofing' energy network measures and the solar PV are recommended to be secured by condition.
- 5.34. The BREEAM pre-assessment confirms that a level of performance which meets the ENV6 and ENV9 requirements is being targeted and would be secured via condition.
- 5.35. Overall, the proposal, subject to conditions, is therefore considered to accord with Policies ENV6, ENV9 and ENV7.

Air Quality

- 5.36. The proposal is supported by an Air Quality Assessment that has considered the air quality impacts during the construction and the buildings' subsequent operational phases. The Council's Air Quality officer has no objection and comments that the report found that during the construction phase, dust emissions can be adequately managed by adopting appropriate mitigation measures. A Dust Management Plan has been included in the submitted Construction Management Plan (Appendix C). During the operational phase, the proposed development would generate additional traffic on the local road network. The cumulative effects of developments, even when negligible as the application proposal, may contribute to a creeping baseline which may lead to exceedances in that area. To account for this, an emissions mitigation assessment was carried out to calculate the damage cost due to increased emissions associated with the proposed development and appropriate mitigation to offset this damage. The total cost was calculated as £30,148. This relates to the value of mitigation that should be applied. The Council's Air Quality officer therefore recommended a Dust Management Plan implementation condition and a condition to secure a package of mitigation measures calculated at a value of £30,148. As it is not clear at this stage whether these mitigation measures would all be met on site, and as there is likely to be off site works required ensuring this is provided would need to be secured via a S106 legal agreement. The applicants have agreed to this in principle, but have stated that they would seek to provide these proposed measures on site prior the Planning Committee meeting and this could then potentially be dealt with by a condition. If required, an update will be provided to the Committee.
- 5.37. Overall, subject to conditions/the mitigation that may need to be secured via a legal agreement, the proposal would not result in an adverse impact upon air quality and would therefore accord with Local Plan Policy ENV12.

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Contaminated Land

- 5.38. The site is on a former works/engineering/industrial ground and is identified as being potentially contaminated. The applicant submitted a Preliminary Risk & Geo-Environmental Assessment and a Remediation and Verification Strategy. The recommendations and analysis of risks and liabilities detailed in the submitted reports are considered acceptable in principle, but both reports state that further investigation is required as some areas of the site were inaccessible. As a result, the Environment Agency raised no objection, but requested conditions relating to 4-stage implementation condition, verification report and an unsuspected contamination condition. The Council's Contaminated Land Officer has no objection to the proposals subject to conditions.
- 5.39. Therefore, the proposal, subject to these conditions, would not result in an adverse impact regarding contamination and is considered acceptable in this regard.

Developer's contributions

- 5.40. According to Policy CH6 and Green Infrastructure SPD, payment in lieu (£700 per tree) of the provision for any existing trees lost as a result of the development based on the girth of the trees would be required. Policy CH6 contains details on the calculations for replacement tree planting which are as follows:

- Crawley Local Plan		Application - total	
Trunk Diameter (CMS @ 1.5m above ground level)	Nos. of replacement trees required	Removed Tree no.	Number of replacement trees required
Less than 19.9	1	T23	1
20-29.9	2	T22	2
30-39.9	3	G1, T3	6
40-49.9	4	-	-
50-59.9	5	T9	5
60-69.9	6	T6, T7	12
70-79.9	7	T1	7
80+	8	T5, T8	16
		Total	49

- 5.41. The proposal would involve the removal of 10 trees, and based on the girth of these trees as shown on the table above, it would require 49 replacement trees. Based on the submitted soft landscaping plans, 28 trees are proposed to be planted the front and north-western corner of the site. Therefore, a contribution for $49-28=21$ trees would be required totalling to £14,700 (£700 x 21 trees) 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 S106 legal agreement.
- 5.42. Regarding the Manor Royal contribution, the proposal would result in a 392sqm net gain of business floorspace which would amount to a contribution of £784. The applicant has agreed to this contribution which would be secured via a S106 legal agreement.

Gatwick Airport safeguarding

- 5.43. Gatwick Airport Safeguarding and NATS have both commented on the application. NATS has no objection. GAL Safeguarding has no objection, subject to conditions to address: the implementation of the Bird Hazard Management Plan, submission of a detailed landscaping scheme to ensure that the amount of be fruit/berry bearing species would not exceed 40% of the total planting, submission of details for the PV, and a cranes informative. All these conditions are recommended accordingly.

CONCLUSIONS:-

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- 6.1. The use of the site is in principle supported by Local Plan policies and would have a potentially positive impact in terms of the local economy. The buildings' design, size, massing, materials and landscaping would be considered acceptable within Manor Royal. Given the proposed landscape strategy and proposed ecological enhancements, it is considered that the removal of several protected trees would be balanced against the overall benefits of the development. The proposal is therefore considered to be, on balance, acceptable in this regard. The operational needs of the site in terms of access, car, lorry, cycle and motorcycle parking can be met, and the Local Highway Authority have confirmed there are no objections in terms of impact upon road capacity or highway safety. The proposals relating to drainage, air quality, and contaminated land would also be acceptable, subject to conditions, and the sustainability measures would provide a BREEAM excellent rating for water and energy credits.
- 6.2. Subject to the completion of the S106 legal agreement for i) off-site infrastructure requirements due to the shortfall in replacement tree planting, ii) for Manor Royal contribution, iii) provision within the site to contribute for the inter-related MicroPark Trail and Super Hub Bus Stop Project, iv) Travel Plan and its monitoring fee, v) Air Quality Mitigation it is considered that the proposal would accord with the relevant sections of the NPPF the relevant policies of the Local Plan 2015-2030 and relevant Supplementary Planning Guidance. On this basis it is recommended that planning permission be granted.

RECOMMENDATION RE: CR/2021/0248/FUL

PERMIT - Subject to the conclusion of a Section 106 legal 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. The Units hereby permitted shall be used solely for the purposes of Use Class B8 (Storage or Distribution) and not for any other use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), without the prior written consent of the Local Planning Authority
REASON: To ensure that there is adequate parking and servicing provision on the site to reflect the use in accordance with Policies IN3, IN4 and CH3 of the Crawley Borough Local Plan 2015 - 2030 and the Urban Design Supplementary Planning Document.
4. With the exemption of demolition, site preparation, drainage, foundation and structural works, development shall not commence unless and until a schedule of materials and finishes, including samples of such materials and finishes, to be used for external walls and roofs of the proposed building, including the glazing and cladding have been submitted to and approved by the Local Planning Authority. The development shall thereafter only be constructed in accordance with the approved materials.
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. With the exemption of demolition, site preparation, drainage, foundation and structural works, development shall not commence unless and until precise details (including a 1:20 section of the glazing details), showing the ground and 1st floor window profiles, main entrance door fenestration profiles including surrounding details for the south, east and west elevations have been submitted to and been approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.
REASON: To control the development in detail and to ensure a high quality development in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030.

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6. 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 buildings shall be submitted to and approved in writing by the Local Planning Authority, and the development 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.
Reason for pre-commencement: This condition is required pre-commencement as it relates to how the site layout and building will be constructed.
7. The development, including works of demolition, hereby permitted shall be carried out in accordance with the Construction Management Plan (CMP), including the Dust Management Plan (Appendix C), Revision 5 dated May 2021, submitted with the application. The approved CMP shall be implemented and adhered to throughout the entire demolition and construction period.
REASON: In the interests of highway safety and the amenities of the area in accordance with Policy CH3 and IN3 of the Crawley Borough Local Plan 2015 - 2030.
8. Prior to the first occupation of Unit 1 or Unit 2, the vehicular accesses onto Fleming Way serving the unit shall be constructed in accordance with the approved site drawings including all necessary changes to the existing traffic signals as agreed in the S278 agreement.
REASON: In the interests of road safety in accordance with Policy IN3 of the Crawley Borough Local Plan 2015-2030.
9. Prior to the first occupation of Unit 1 or Unit 2, the vehicle turning space serving the unit shall be constructed in accordance with the approved plans and shall be retained for the life of the development unless otherwise approved in writing by the Local Planning Authority.
REASON: To ensure that adequate and satisfactory provision is made for the manoeuvring of vehicles clear of all highways in accordance with Policies CH3 and IN3 of the Crawley Local Plan 2015-2030.
10. Prior to the first occupation of Unit 1 or Unit 2, the car and lorry parking serving the unit shall be constructed in accordance with the approved plans. Once provided the spaces shall thereafter be retained at all times for their designated purpose.
REASON: To ensure that adequate and satisfactory provision is made for the parking and manoeuvring of vehicles clear of all highways in accordance with Policies CH3 and IN4 of the Crawley Local Plan 2015-2030, and the parking standards set out in the Urban Design SPD 2016.
11. Prior to the first occupation of Unit 1 or Unit 2, plans and elevational details shall be submitted to and been approved in writing by the Local Planning Authority for:
 - (i) green roofed sheltered cycle parking spaces,
 - (ii) details of the storage of refuse / recycling provision
 - (iii) details of the substation and transformer plants.The agreed details must be laid out and available prior to first occupation of either unit and retained for the life of the development unless otherwise approved in writing by the Local Planning Authority.
REASON: In the interests of visual amenity and to ensure the operational and servicing requirements of the development are met in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
12. Prior to the first occupation of Unit 1 or Unit 2, Electric Vehicle Charging spaces serving that unit shall be provided in accordance with plans and details that have been submitted to and been approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details prior to occupation and thereafter retained.
REASON: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies.
13. No development approved by this planning permission shall commence until a strategy to deal with the potential risks associated with any contamination of the site has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:
 1. A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;

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- a conceptual model of the site indicating sources, pathways and receptors; and
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: The proposed site is on a former works/engineering/industrial ground with risk of contamination on the site and to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution or contaminated land in accordance with Policy ENV10 of Crawley Borough Local Plan 2015-2030 and with paragraph 170 of the National Planning Policy Framework.

Reason for pre-commencement: This condition is required pre-commencement as it relates to how contamination will be investigated and remediated during construction and then during operation.

14. Prior to the first occupation of Unit 1 or Unit 2, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and been approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

REASON: The proposed site is on a former works/engineering/industrial ground with risk of contamination on the site and to ensure that the site does not pose any further risk to human health or the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete in accordance with Policy ENV10 of Crawley Borough Local Plan 2015-2030 and with paragraph 170 of the National Planning Policy Framework.

15. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with Policy ENV10 of Crawley Borough Local Plan 2015-2030 and paragraph 170 of the National Planning Policy Framework.

16. Prior to the first occupation of Unit 1 or Unit 2, confirmation shall be provided that either:
- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or
 - a development and infrastructure phasing plan has been agreed with the Local Planning Authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

REASON: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents in accordance with Policy ENV8 of Crawley Borough Local Plan 2015-2030.

17. The development hereby permitted shall be implemented and thereafter maintained and managed in accordance with the Flood Risk Assessment and Drainage Strategy provided by Burrows Graham Limited and dated March 2021, including a reduction of 50% of the pre development surface water

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flow rate as part of the surface water management plan, unless otherwise agreed in writing by the Local Planning Authority.

REASON: This is a major development and the performance of the drainage system must be future proofed to avoid flooding within the development and subsequent flood risk to other areas close to the development site in accordance with Policy EN8 of the Crawley Borough Local Plan 2015 - 2030.

18. The Bird Hazard Management Plan dated March 2021 Version 2 shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the buildings. 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 mitigate bird hazard and avoid endangering the safe movements of aircraft and the operation of Gatwick Airport through the attractiveness of birds in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

19. No solar panels (photovoltaics) referred to in the submitted Energy Strategy dated March 2021 shall be installed until full details have been submitted to and been approved in writing by the Local Planning Authority. No subsequent alterations to the approved schemes are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

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 and in the interests of environmental sustainability, In accordance with Policies IN1 and ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

20. Within six months of the occupation of Unit 1 or Unit 2 hereby permitted, a post-construction report shall be submitted to and agreed in writing by the Local Planning Authority, verifying that that Unit has achieved the minimum Energy and Water standards for BREEAM 'Excellent'.

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.

21. Before above ground commencement, excluding demolition works and site preparation, details of the provisions referred to in the submitted Energy Strategy dated March 2021, to facilitate the connection of the development to a future District Energy Network in the vicinity, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.

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

22. No development shall commence, including any works of demolition, until the following details have been submitted to, and approved by, the Local Planning Authority:

Details of biodiversity protection and mitigation measures to be implemented during site clearance, demolition and construction including measures to protect the adjacent tree belt from glare and significant increases in lux levels which could adversely impact bats and other nocturnal animals (these measures may be integrated into a construction environmental management plan). The approved details shall be implemented in full unless otherwise approved in writing by the local planning authority.

REASON: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with policies ENV2 of the Crawley Borough Local Plan 2015-2030 and paragraph 175 of the NPPF.

Reason for pre-commencement: This condition is required pre-commencement as it relates to how the building work will be managed during demolition and construction to protect protected and priority species.

23. Prior to the first occupation of Unit 1 or Unit 2, an enhancement and management plan for biodiversity features, which may be integrated with a landscape management plan, setting out aims, objectives initial enhancements, ongoing management operations, initial five-year action plan, details of responsibility for implementation, and, provision for review and updating shall be submitted to and

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approved by the Local Planning Authority. The approved details shall be implemented in full, including on site completion of initial biodiversity enhancements prior to first occupation, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the proposals avoid adverse impacts on protected and priority species and contribute to a net gain in biodiversity, in accordance with policies ENV2 of the Crawley Borough Local Plan 2015-2030 and paragraph 175 of the NPPF.

24. The development hereby permitted shall be carried out in accordance with the Arboricultural Impact & Method Statement and its Tree Protection Plan provided by RammSanderson dated March 2021 submitted with the application. The tree protection measures as set out within the report must be implemented prior to the commencement of the development and thereafter maintained for the duration of the construction works.

REASON: To ensure that the protected trees are not compromised during the construction of the development in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan 2015 - 2030.

25. No above ground development shall take place, excluding any works of demolition, unless and until full details of hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority.

These details shall also include:

- Grassed areas
- The species, number and spacing of trees and shrubs

The approved details of the landscaping shall be carried out in the first planting and seeding season, following the first occupation of either building 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. No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030, and in the interests of the amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

26. Prior to the first occupation of Unit 1 or Unit 2, a Landscape Management Plan which covers a period of no less than 15 years shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include a programme for implementation, long term design objectives, long term management responsibility and maintenance schedules for all landscaped areas. The development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity of the area in accordance with Policy CH3 of the Crawley Borough Local Plan and the Manor Royal SPD.

Informatives

1. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email: lgwcranes@gatwickairport.com. Details of the crane process can be found in CAP1096 'Guidance to Crane Operators on Aviation Lighting and Notification' available at www.caa.co.uk.
2. The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.

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3. The applicant is required to obtain all appropriate S38/278 consents from West Sussex County Council, as Highway Authority, to cover all 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. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
4. 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.
5. 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.
6. The applicant's attention is drawn to the correspondence received from the Designing Out Crime Officer – Sussex Police Headquarter on 21 April 2021 in relation to Secured by Design.
7. The applicant is advised that the proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Waters' guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.
As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-largesite/Planning-your-development/Working-near-or-diverting-our-pipes>.
8. The applicant's attention is drawn to the advice provided by West Sussex Fire and Rescue Service in their correspondence of 6 May 2021 to ensure that sufficient supply of water for firefighting for these units and complies with the requirements identified in the Approved Document B Volume 1 2019 Edition: B5 section 16.
9. The applicant is advised of the following advice from Southern Water:
 - The public water distribution mains requires a clearance of 6 metres on either side of the water distribution mains to protect it from construction works and to allow for future access for maintenance.
 - No excavation, mounding or tree planting should be carried out within 6 metres of the public water main without consent from Southern Water.
 - No new soakaways, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of public water distribution mains.
 - All existing infrastructure, including protective coatings and cathodic protection, should be protected during the course of construction works. Please refer to: southernwater.co.uk/media/default/PDFs/stand-off-distances.pdf

Following initial investigations, Southern Water can provide a water supply to the site. Southern Water requires a formal application for a connection to the water supply to be made by the developer. To make an application visit: southernwater.co.uk/developing and please read New Connections Services Charging Arrangements documents which are available on the website via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements

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For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).

Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk

10. NPPF Statement

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

- Providing advice in a timely and manner through pre-application discussions/correspondence.
- Liaising with consultees, applicant 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.

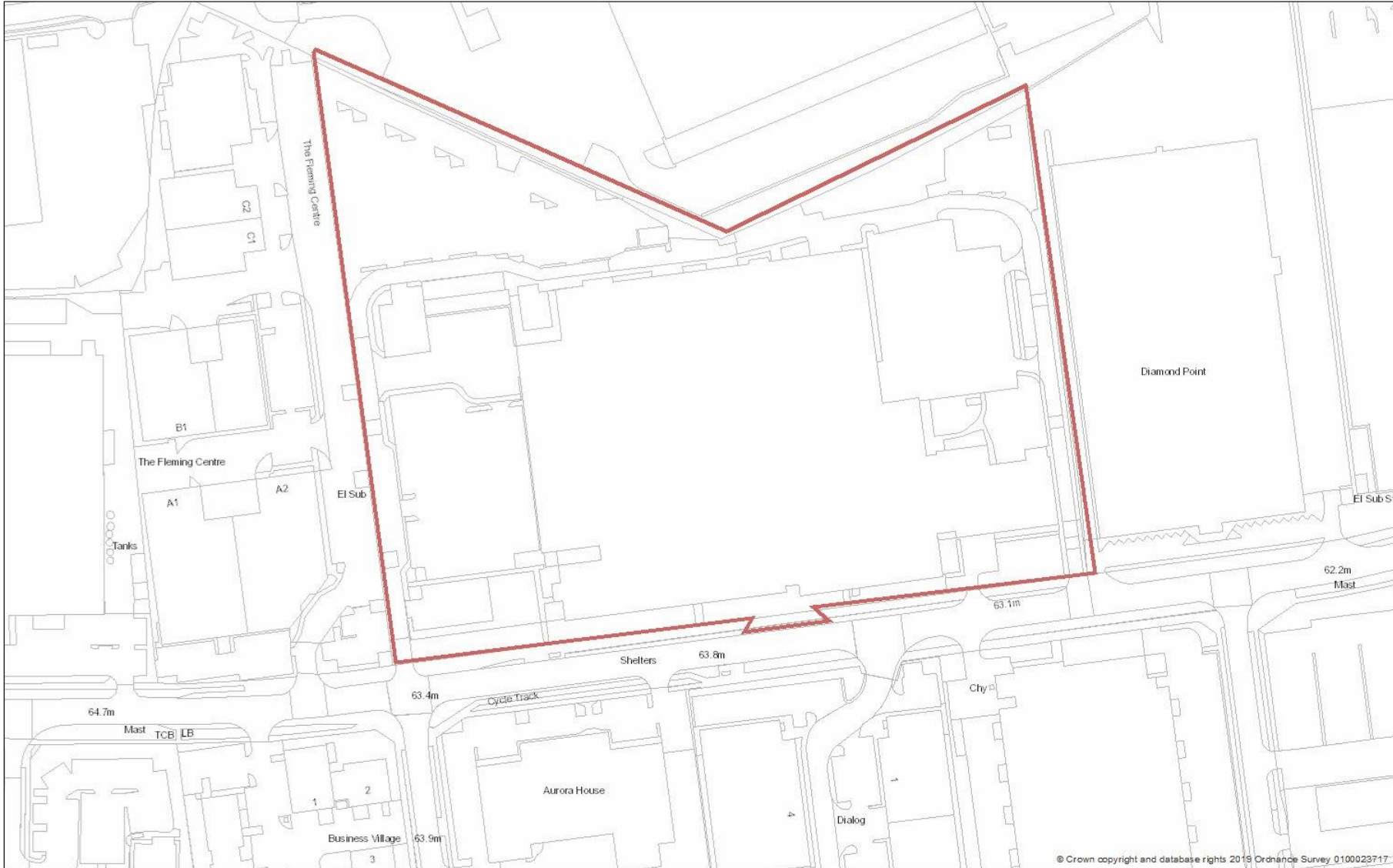


ArcGIS Web Map



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 29 June 2021
REPORT NO: PES/372(b)

REFERENCE NO: CR/2021/0287/FUL

LOCATION: [CAR PARK ADJACENT TO COOP, 6 MAIDENBOWER SQUARE, MAIDENBOWER, CRAWLEY](#)

WARD: Maidenbower

PROPOSAL: TEMPORARY POP-UP CONVENIENCE SHOP IN CAR PARK FOR APPROXIMATELY 8-WEEK PERIOD AND TEMPORARY PLANT ENCLOSURE FOR APPROXIMATELY 20-WEEK PERIOD UP TO APRIL 2022

TARGET DECISION DATE: 15 June 2021

CASE OFFICER: Ms D. Angelopoulou

APPLICANT'S NAME: Co-operative Group Food Limited

AGENT'S NAME: Miss Emma Morrison

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
PL03		Location & Block Plan
PL04		Temporary Store Details
PL01		Existing Plan
PL02		Proposed Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

<u>Type</u>	<u>Comments</u>
1. Environment Agency	No response received
2. WSCC Highways	No objection
3. CBC Drainage Officer	No objection
4. CBC Property Division	No objection; subject to planning approval, the Council as land owner has agreed to grant temporary consent for the use of the land.
5. CBC Environmental Health Officer	No objection
6. CBC Retail & Employment	No objection
7. CBC Parking Services	Providing this is for temporary period, there are no representations to make.

NEIGHBOUR NOTIFICATIONS:-

Maidenbower Square
MSDE Ltd;
COCOS;
1 to 7 Bay Tree Court;
7a;
China Garden;
King Fish;
Crawley Borough Council, Maidenbower Community Centre;
De Vere Estate Agencies Ltd;
Flats 1 to 4;
Flat 17A, 27A and 37A;

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Dental Practice;
Boots;
Coop.

RESPONSES RECEIVED:-

Four representations have been received from residents (2 from adjacent Bay Tree & 7A Maidenbower Square & 2 from Wantage Close & Tanyard Close further away from the site) raising objections to the proposal on the grounds that the resultant loss of 8 parking spaces would exacerbate the existing parking stress in the area.

REASON FOR REPORTING TO COMMITTEE:-

The number of objections received with a recommendation to permit.

THE APPLICATION SITE:-

- 1.1. The application site comprises two Council owned areas providing a total of 8 parking spaces (1 disabled bay). The areas lie in front of (five spaces) and on the eastern side (three spaces including one disabled bay) of the Co-op ground floor shop at No.6 Maidenbower Square, which is located within the Maidenbower Neighbourhood Centre as designated in the Local Plan. The site lies within Flood Zone 2/3.
- 1.2. Co-op has its main frontage to the north, adjacent to a public car park, and its eastern side elevation faces onto a pedestrianised square. The rear of the unit forms part of a wider service yard. This service yard has existing plant in a fenced enclosure, immediately behind the adjoining unit No. 7 (occupied by Boots). There are several flats to the west and south of the application site.
- 1.3. To the north of the site is a public car park serving the Maidenbower Neighbourhood Centre where various community and commercial facilities are situated.

THE PROPOSED DEVELOPMENT:-

- 2.1. Temporary planning permission is sought for the erection of a pop-up convenience shop on the front 5 car parking spaces outside Co-op and also for a temporary plant enclosure on the 3 car parking spaces (including one disabled space) to the east of the Co-op.
- 2.2. The application is accompanied by a Noise Impact Assessment and a covering letter which states that the proposal is required while the main Co-op store undergoes works to extend and refurbish the shop. These works were approved under the application ref: CR/2020/0737/FUL for the erection of a single storey rear/side extension to the existing retail store, erection of plant enclosure within the service yard and bricking up of the shopfront of No.5 Maidenbower Square. The temporary store is proposed to ensure that Co-op retains a presence in Maidenbower, continuing to provide a retail service to the area during the redevelopment of the site.
- 2.3. The applicants seek temporary planning permission until April 2022. The applicants state that the pop-up shop and plant would be removed once works are complete, and the store could re-open well in advance of April 2022. The longer period of the permission would ensure that it could remain in place if the works, which depend on third parties, are subject to delays. In particular, the covering letter states the following in this regard:

'It is expected that the pop-up shop will be required for approximately 8-10 weeks, likely beginning in October 2021. The temporary plant will be required for a longer period, around 20 weeks as some plant will also be required to serve the main store while the existing plant is decommissioned to facilitate the extension in phase 1 of the works which will begin before the store closes. The projected timeline depends on third party works which may be subject to delays. Though no delays are anticipated, it is requested that temporary planning permission remains in place until April 2022 to ensure that permission remains in place for the duration of the works. The pop-up shop and plant will be removed once works are complete, and the store can reopen which will likely be well in

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advance of the April 2022 longstop date. If it is considered necessary, an appropriately worded condition can be agreed to secure this.'

- 2.4. The pop-up store would be subject to licensing and would have the same opening hours as the existing store (07.00 – 22.00 daily). It would measure 7.3m in width, 3.8m in depth and 3.3m in height. It would have a flat roof and would be of grey metal construction. There would be a ramped 'apron' at the front of the unit (south). Electricity would be taken from the main store, but a standby generator would be provided in case the electricity supply is interrupted. The unit would be delivered to the site using a towing vehicle and trailer.
- 2.5. The submitted plans show a yellow line that comprises a temporary construction hoarding to screen the interior of the Co-op store whilst works are undertaken. The agent clarified that this does not form part of the planning application as it benefits from permitted development rights, but is shown to provide context for the access along the front of the unit. The plans also show a protection handrail which would be a removable barrier of approximately 1m high and 2m long to serve as protection for customers and staff from vehicles using the car park.
- 2.6. The proposed temporary plant area would be located to the eastern side of the store, adjacent to an area which is proposed to be used for the construction compound. This would house plant to serve the temporary store and the main store while the existing plant within the service yard is removed during the early part of the works (to be replaced by a new plant to the western end of the service yard). The agent clarified that this plant area would be secured by heras fencing.

PLANNING HISTORY:-

3.1. The most relevant planning history is:

- CR/2020/0737/FUL – Erection of single storey extension to existing retail (class E) store, erection of plant enclosure and removal of the shopfront of no.5 to be bricked up with brick (amended description) – Permitted on 22 April 2021.

The whole Neighbourhood Centre, including Co-op, was erected under CR/1991/0392/OUT and CR/1993/0585/ARM, and there are no conditions restricting the hours of operation of the units. No permitted development rights have been removed.

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 6 – Building a strong, competitive economy. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
 - Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

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- Section 14 of the NPPF deals with meeting the challenge of climate change, flooding and coastal change. Paragraphs 155-165 set out a sequential, risk based approach to flooding and the location of development, which takes account of climate change. The NPPF seeks to avoid increasing flood risk elsewhere and seeks the use of sustainable drainage systems in major developments.
- 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 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 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.
- Policy EC1: Sustainable Economic Growth. Crawley’s role as the key economic driver for the Gatwick Diamond will be protected and enhanced. The council will ensure that all suitable opportunities within the borough are fully explored to enable existing and new businesses to grow and prosper.
- Policy EC4: Employment Development and Residential Amenity. Proposals for the development, redevelopment or change of use of sites for employment use adjacent to residential areas will be permitted where there is no adverse harm to local amenity or function of the surrounding area.
- Policy EC8: Neighbourhood Centres. Most neighbourhood centres provide floorspace that contributes to the town’s wider employment function. These areas continue to be recognised as sustainable locations for smaller-scale employment use, and economic development proposals will be supported where they meet the policy requirements of Local Plan Policies CH3, EC1 and EC4.
- 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 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 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.

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- 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 and remains ongoing, and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CL2: Making Successful Places – Principles of Good Urban Design
- Policy DD1: Normal Requirements of All New Development
- Policy EC1: Sustainable Economic Growth
- Policy EC11: Employment Development and Residential Amenity
- Policy EC12: Neighbourhood Centres
- Policy IN1: Infrastructure Provision
- Policy EP1: Development and Flood Risk
- Policy EP4: Development and Noise
- Policy ST1: Development Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

Urban Design Supplementary Planning Document (adopted October 2016)

4.4. The Urban Design SPD is a non-statutory document which supplements the policies of the Local Plan and is applicable to this application. The Urban Design SPD contains guidelines on the standards the Council expects for the public design highlighting in particular the importance of massing and materials, public realm, street design, parking and sustainable design. In respect of non-residential development it states:

- *“Non-residential development should address the street and the public realm in a considerate manner and not turn their back on the existing streetscape and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric.*
- *Consideration should be made of the use of appropriate materials, colours and massing of the development in order to reduce the visual impact and improve the architectural language”.*
- *‘Applicants and developers are encouraged to consider all the end users that a development and any associated public realm will serve so as to strive to cater to all groups.’*

4.5. Annex 1 in the SPD contains the minimum car parking standards. For a food retail use, the minimum provision is for 1 space per 14sqm.

PLANNING CONSIDERATIONS:-

5.1. The proposal is required while the main Co-op store undergoes works to extend and refurbish the shop as approved under the application CR/2020/0737/FUL. The Co-op is within the Maidenbower Neighbourhood Centre, which serves as sustainable location for local retail and employment and also acts as hubs for day-to-day community life. The Co-op helps cater for the day-to-day shopping needs of local residents. The temporary store and plant area are proposed to ensure that Co-op retains a presence in Maidenbower, continuing to provide a retail service to the area during the redevelopment of the site. Co-op proposes to make further investment in its store at a time when retail business face difficult times, ensuring an ongoing commitment to the Maidenbower Neighbourhood Centre. The proposal is therefore acceptable in principle, helping to support the function of Co-op within the Maidenbower Neighbourhood Centre, providing further investment and improved shopping facilities for local residents to help support their day-to-day shopping needs and would therefore be in accordance with economic policies EC1 and EC8.

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

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- The design and appearance of the proposal and its impact on the street scene and Maidenbower Neighbourhood Centre
- The impact on neighbouring amenity
- The impact on highways and parking
- Flood risk.

The design and appearance of the proposal and its impact on the street scene and Maidenbower Neighbourhood Centre

- 5.3. The application site is within Maidenbower Neighbourhood Centre and relates to hardstanding areas available for parking. The temporary pop up store would be single storey and would be in front of the Co-op store, screening its façade. It would incorporate a ramp to the front (south) to allow access for all members of the community, including those with mobility difficulties, in accordance with the Urban Design SPD. Whilst the proposed pop-up store would screen the existing façade of the main Co-op arguably slightly harming the visual amenities of the area, it is considered that, given the temporary nature of the proposal, the fact that the existing main store would be covered by hoarding for the period that this pop-up shop would be open, its single storey nature, modest footprint and size, and proposed grey metal materials, the temporary pop up store is considered to be acceptable in visual amenity terms .
- 5.4. The temporary plant area would be to the east of the Co-op, next to the pedestrianised Maidenbower Square. This element would be secured by heras fencing and would not be an attractive element within the streetscene. However, given its temporary nature and its location within a hardstanding parking area, it is not considered to have such a significant detrimental impact on the visual amenities of the area to warrant a reason for refusal on these grounds.
- 5.5. The removable temporary barriers shown as 'protective' hand rail on the plans would serve as protection for customers and staff from vehicles using the car park and would be typical appearance. Given their temporary nature and their use for safety of the public, they are not considered to have a detrimental impact on the visual amenities of the area
- 5.6. Overall, the proposal, given its temporary nature, is not considered to have such a harmful impact on the visual amenities of the building or wider area to warrant a reason for refusal. The proposal would therefore, on balance, comply with the relevant Local Plan policies, the guidance contained within the Urban Design SPD and the relevant paragraphs of the NPPF.

The impact on neighbouring amenity

- 5.7. There are several flats to the west and south of the application site. The applicants submitted a Temporary Plant Noise Impact Assessment for the temporary air conditioning (AC) and refrigeration plant which is to be installed adjacent to the store to the east. The AC units would operate only when the store is open. The refrigeration plant would operate at all times, but would run at a reduced level at night when cooling demands are low. The Environmental Health team raised no objection and commented that the report shows the temporary AC & refrigeration plant, when assessed with British Standard BS 4142:2014 'Methods of rating & assessing industrial & commercial noise,' to be low impact on the nearest residential flats and below background noise levels at night. The standby generator would give an adverse noise effect on one of the residential units, but this is only to be used under emergency conditions. As a result, the proposal is not considered to have a detrimental impact on present and future residents in terms of noise and would be in accordance with Local Plan Policies CH3 and ENV11.

The impact on highways and parking

- 5.8. There is a public car park to the north of the application site, available for Maidenbower Neighbourhood Centre. In addition to the existing permanent facilities, Saxonbrook Medical Centre to the north is currently being used as a COVID-19 vaccination centre. The proposal does not involve any changes to the existing access arrangements.
- 5.9. The applicants state that it is expected that the temporary pop-up shop would be required for approximately 8-10 weeks, probably beginning in October 2021. The pop-up shop would be in use

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when the existing Co-op store is closed for the refurbishment works. The temporary plant would be required for a longer period of around 20 weeks, as some plant would also be required to serve the main store while the existing plant is decommissioned to facilitate the approved extension before the store temporarily closes.

- 5.10. The proposal would involve the temporary loss of 8 parking spaces (pop up store would involve 5 spaces to the front and temporary plant & AC would involve 3 parking spaces). WSCC Highways raised no objection. They state that, at the time the temporary pop-up shop would be in use, the main Co-op store would be closed for refurbishment. The floorspace of the pop-up shop is considerably less than the main store. Therefore, it is reasonable to conclude that the parking demand of the wider car park would be significantly less during this time.
- 5.11. The agent submitted the following further information in this regard:

'In terms of the programme of works, the plant will serve the main store during Phase 1 works to the plant area and extension at the rear of the store as approved through planning permission ref. CR/2020/0737/FUL. These are expected to commence in August and the temporary store is expected to be in place in October for around 6-8 weeks (a longer period has been applied for in the application to account for any unexpected delays to the build programme).

The store will operate as normal with customers able to browse and purchase products on-site, however due to the limited size of the store, visits will be of shorter duration. Photographs of another temporary store are attached which illustrate the range of goods available. As discussed above, the level of parking demand is expected to significantly reduce and this has been seen at other premises where refurbishment works have required the temporary closure of stores.

This reduction in parking demand will more than compensate for the temporary loss of the use of the limited number of parking spaces.

The NPPF sets a high bar for the refusal of planning applications on highways grounds, and given the temporary nature of the proposals, and the fact that the temporary store will only be in use when the main store is closed, there will be no unacceptable impact on highway safety or a severe impact on the road network in accordance with Paragraph 109 and I trust that this will be taken into account by the Committee.

It is important to note that Co-op propose to operate the temporary store to provide a benefit to the local community and prevent local residents having to travel to purchase basic provisions. The cost of installing and operating the temporary store will be higher than income from sales but it will be of value to the community, particularly those less able to travel.'

- 5.12. Given the above and the temporary nature of the proposal, it is considered that the proposal would not have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network and amenity of the area to warrant a reason for refusal. As a result, it is considered to be acceptable.

Flood Risk

- 5.13. The site lies within Flood Zone 3. The Council's Drainage Officer raises no objection to the proposal, as it would be temporary within the existing car park hardstanding area. As a result, the temporary proposal is not considered to have a detrimental flood risk and would accord with the relevant Local Plan Policies and the NPPF.

CONCLUSIONS:-

- 6.1. In conclusion, it is considered the proposal would facilitate works to extend and refurbish the Co-op shop and, as such, help to meet the ongoing day-to-day shopping needs of the local residents. The proposal is therefore acceptable in principle and would provide a positive economic impact by allowing the business to continue trading whilst investing in upgrading their premises, especially when retail business face difficult times. In addition, it is considered that the proposal would not have such a harmful impact on the visual amenities of the building or wider area to warrant a reason

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for refusal. On balance, it is also considered that the proposal would not have an unacceptable impact on highway safety or result in severe cumulative impacts on the operation of the highway network and amenity of the area. In addition, the proposal is considered to be acceptable in neighbouring amenity and flood risk terms. Subject to a temporary condition, the proposal is therefore considered to accord with the policies outlined in the NPPF, the Crawley Borough Local Plan (2015-2030) and the Urban Design SPD.

RECOMMENDATION RE: CR/2021/0287/FUL

PERMIT - Subject to the following conditions:-

1. The building and works hereby permitted shall be removed and the land restored to its former condition, or to a condition to be agreed in writing by the Local Planning Authority, on or before the expiration of the period ending on 30 April 2022.
REASON: The Local Planning Authority would not normally grant permission for such a development in this location but under the circumstances prevailing it is considered reasonable to make an exception in this instance and to allow the development for a limited period.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE

1. NPPF Statement

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

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

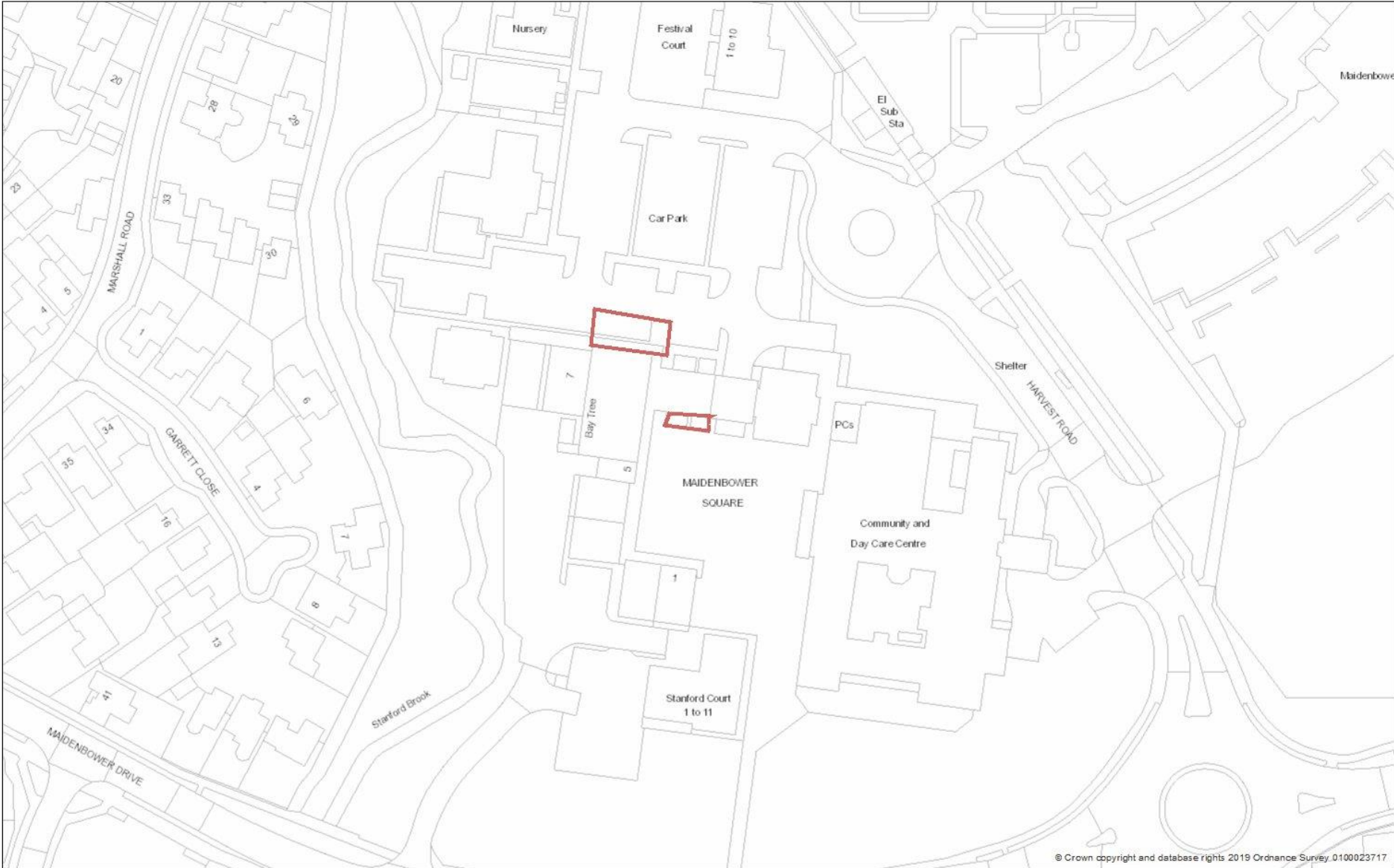


ArcGIS Web Map



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