

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Ashurst Main Hall - The Charis Centre**, on **Tuesday, 11 January 2022** at **7.00 pm**

Nightline Telephone No. 07881 500 227



Chief Executive

Membership:

Councillors

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

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Published 23 December 2021



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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 - 8
To approve as a correct record the minutes of the Planning Committee held on 30 November 2021.		
5. Planning Application CR/2021/0174/FUL - Land at Faraday Road & Manor Royal, Northgate, Crawley	Langley Green & Tushmore	9 - 40
To consider report PES/378a of the Head of Economy and Planning.		
RECOMMENDATION to PERMIT.		
The original report and minutes of the prior consideration of this application are attached as appendices A and B to this item respectively.		

6.	<p>Planning Application CR/2021/0247/FUL - The Office, Crawley Business Quarter, Manor Royal, Northgate, Crawley</p>	Langley Green & Tushmore	41 - 80
<p>To consider report PES/378b of the Head of Economy and Planning.</p>			
<p>RECOMMENDATION to PERMIT.</p>			
<p>The original report and minutes of the prior consideration of this application are attached as appendices A and B to this item respectively.</p>			
7.	<p>Planning Application CR/2021/0248/FUL - The Base, Fleming Way, Northgate, Crawley</p>	Langley Green & Tushmore	81 - 120
<p>To consider report PES/378c of the Head of Economy and Planning.</p>			
<p>RECOMMENDATION to PERMIT.</p>			
<p>The original report and minutes of the prior consideration of this application are attached as appendices A and B to this item respectively.</p>			
8.	<p>Planning Application CR/2021/0621/OUT - Car Park, Station Way, Northgate, Crawley</p>	Three Bridges	121 - 144
<p>To consider report PES/378d of the Head of Economy and Planning.</p>			
<p>RECOMMENDATION to REFUSE.</p>			
9.	<p>Supplemental Agenda</p> <p>Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.</p>		

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

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Crawley Borough Council

Minutes of Planning Committee

Tuesday, 30 November 2021 at 7.00 pm

Councillors Present:

R D Burrett (Chair)

S Buck (Vice-Chair)

Z Ali, A Belben, I T Irvine, K L Jaggard, S Malik, M Mwangale, S Raja and P C Smith

Officers Present:

Siraj Choudhury Head of Legal, Governance and HR

Jean McPherson Group Manager (Development Management)

Marc Robinson Principal Planning Officer

Clem Smith Head of Economy and Planning

Jess Tamplin Democratic Services Support Officer

Also in Attendance:

Councillor K McCarthy

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Burrett	Planning application CR/2021/0243/FUL – Land East of Radford Road (and West of the Access Road to the Thames Sewerage Treatment Works), Radford Road, Crawley (Minute 4)	Personal Interest – had been approached by residents in his role as Councillor for Pound Hill North and Forge Wood to discuss the application site, but had expressed no view and remained impartial on the matter
Councillor Burrett	Section 106 Monies – Q4 2020/21 to Q2 2021/22 (Minute 5)	Personal Interest – Member of West Sussex County Council

2. Lobbying Declarations

The following lobbying declarations were made by councillors:-

Councillor Burrett had been lobbied but expressed no views on application CR/2021/0243/FUL.

Councillor A Belben had been lobbied by Councillor T Belben but expressed no views on application CR/2021/0243/FUL.

3. Minutes

The minutes of the meeting of the Planning Committee held on 31 August 2021 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2021/0243/FUL - Land East of Radford Farm (and West of the Access Road to the Thames Sewerage Treatment Works), Radford Road, Crawley

The Committee considered report [PES/377](#) of the Head of Economy and Planning which proposed as follows:

Material change of use of land to a gypsy and traveller site for 2 pitches each with 3 caravans and associated operational development (hardstanding, access track, shared package treatment plant, amenity blocks, sheds, kennel/dog run and post and rail fencing) - retrospective.

Councillors Ali, A Belben, Burrett, Jaggard, Mwangale, Raja, and P Smith declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought retrospective permission for a change of use of a 0.23 hectare area of former paddock/woodland to a gypsy and traveller site, which was already occupied. The Officer updated the Committee that several corrections and clarifications to report PES/377 were required as follows:

- The first sentence of paragraph 5.10 was to be corrected to read '*Whilst accepting they form part of an established Gypsy/Traveller family related to most of the larger traveller families across Kent, Oxford and the UK, further information does indicate links to Horsham, Mole Valley and the wider Irish Traveller community in Crawley.*'
- Paragraphs 5.16 and 5.17 were to have the word '*deliverable*' replaced by '*developable*' in relation to the allocated Local Plan gypsy/traveller site.
- The first sentence of paragraph 7.1 was to be amended to read '*The Council is currently able to demonstrate a 5 year land supply of developable gypsy/traveller pitches within the borough, although weight needs to be given to the applicants' needs as the site is not currently deliverable.*'

The Committee was updated that no response was received from the Ecology Officer, so it was taken that there had been no objection to the application. The Planning Officer also explained that a further letter had been received from the agent commenting on the officer report – the agent's letter was read out in full with the omission of some personal details. The correspondence queried a number of matters in the report and raised issues including the lack of consideration of temporary permission for the site, the levels of noise caused by passing aircraft, the Council's 5 year supply of gypsy and traveller pitches, the potential flood risk at the site, and the personal circumstances of the applicants.

Robert Biggs (a neighbour of the site) spoke in objection to the application on behalf of Radford Road Neighbourhood Watch. Matters raised included:

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- Noise disturbance to neighbours of the site and harm to visual amenity, as the development was not considered to be in keeping with the local area. The value of neighbouring properties had decreased.
- The development had impacted the local flood risk. Drainage at the site was poor and there was a history of flooding in the area, and there was a blocked culvert nearby.
- The environmental impact - trees were removed, wildlife (including protected species) may have been displaced, the hardstanding may have been laid improperly, and the site was in an area of archaeological interest.
- Access, damage, and road visibility concerns at the site entrance and on to Radford Road.

Councillor Kevan McCarthy (ward councillor for Pound Hill North and Forge Wood) spoke in objection to the application. Matters raised included:

- The land was priced and sold as a site not suitable for development, and was in an area safeguarded from development by Gatwick Airport.
- The site's close proximity to the Gatwick runway. Despite the airport operating at reduced capacity due to Covid-19, the noise impact at the site was considerable and would likely worsen when flight numbers reverted.
- The way in which the works on site were implemented – including whether or not there were breaches of the stop notices issued.
- A significant number of objections, comments, and noise complaints had been made by members of the public regarding the site since its occupation.

The Committee then considered the application.

A Committee member queried whether further works were carried out at the site after a stop notice was issued in April 2021. The Planning Officer stated that the Council was not aware of any material breaches of the notice, except those that had later been reversed.

Following a query from a Committee member regarding temporary planning permission, the Planning Officer confirmed that the application before the Committee was for permanent permission. Planning policy stated that consideration should be given to granting temporary permission if there was not a 5 year supply of gypsy/traveller pitches in the borough – the Council had a developable site, but this was not yet deliverable. It was explained that temporary permission had been considered by officers, however the application site was not suitable for occupancy due to the issues set out in the report (primarily the impact of flood risk and aircraft noise on the health and safety of the occupants) and it was considered that the negatives of the site constraints outweighed the circumstances of the applicants.

The developable site (Broadfield Kennels) was further discussed. The Planning Officer confirmed that the Local Plan identified this as the only reasonable gypsy/traveller site in Crawley. It was not yet subject to a planning application for a change of use, and no need for the site had been raised with the Local Planning Authority since the Plan was adopted in 2015, but it was identified as deliverable when required which was estimated to be within five to ten years of the date of the adoption of the Plan.

Having taken into account the information presented to them, Committee members considered that the recommendation to refuse was well-reasoned with substantial grounding in planning policy. Flooding at and around the site was of particular concern.

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It was requested by Councillor Irvine that a recorded vote be taken on the application. The names of the Committee members voting for, against, or abstaining were as follows:

For the recommendation to refuse: Councillors Ali, A Belben, Buck, Burrett, Irvine, Jaggard, Malik, Mwangale, Raja, and P Smith (10).

Against the recommendation to refuse: none.

Abstentions: none.

RESOLVED

Refuse for the reasons set out in report PES/377.

5. Section 106 Monies - Q4 2020/21 to Q2 2021/22

The Committee considered report [PES/389](#) of the Head of Economy and Planning. The report summarised all the Section 106 (S106) monies received, spent and committed to project schemes between quarter 4 of the financial year 2020/21 and quarter 2 of 2021/22.

Following a question from a Committee member regarding the frequency of the S106 update reports, the Head of Economy and Planning confirmed that the reports were previously considered by the Committee quarterly, but since the beginning of the Coronavirus pandemic, officers' workloads had increased. The reports were therefore less frequent but it was hoped that they would soon return to the Committee on a quarterly basis.

The Chair welcomed the £55,000 in open space contributions provisionally allocated to the Wakehams Green playground, which was in need of refurbishment.

RESOLVED

That the update on S106 monies received, spent and committed between quarter 4 of 2020/21 and quarter 2 of 2021/22 was noted.

6. Update on Water Neutrality

At the request of the Chair, the Head of Economy and Planning provided an update following Natural England's position statement on water neutrality. It was heard that consultants had recently been appointed by the Council to assess the water usage of planning applications. A number of previously permitted applications were to be re-considered by the Planning Committee with new elements tackling the water neutrality issue, which were likely to be ready for the next Committee meeting in January 2022.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.11 pm.

R D Burrett (Chair)

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 11 January 2022
REPORT NO: PES/378(a)

REFERENCE NO: CR/2021/0174/FUL

LOCATION: [LAND AT FARADAY ROAD & MANOR ROYAL, NORTHGATE, CRAWLEY](#)
WARD: Langley Green & Tushmore
PROPOSAL: PROPOSED DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF A NEW WAREHOUSE BUILDING WITH ANCILLARY OFFICES, ASSOCIATED SERVICE YARD, PARKING, ACCESS ALTERATIONS, INFRASTRUCTURE, LANDSCAPING AND ANCILLARY WORKS

TARGET DECISION DATE: 9 June 2021

CASE OFFICER: Mr H. Walke

APPLICANT'S NAME: Lakenorth Limited
AGENT'S NAME: DWD Property + Planning

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
09936 FPCR XX ZZ DR L 00001 Rev	02	Outline Landscape Proposals
4886 CA 00 00 DR A 01050	PL7	Site Location Plan
4886 CA 00 00 DR A 00001	PL1	Existing Site Layout
4886 CA 00 00 DR A 1001 PL	1	Existing Warehouse Plan Ground Floor Plan
4886 CA 00 00 DR A 01052	PL13	Proposed Site Layout
4886 CA 00 00 DR A 01110	PL8	Proposed Warehouse Plan
4886 CA 00 00 DR A 93100	PL9	Fencing Details
4886 CA 00 00 DR A 94010	PL11	Proposed External Finishes
4886 CA 00 00 DR A 97010	PL7	Bicycle & Motorcycle Shelter Details
4886 CA 00 00 DR A 01002 PL Rev	1	Existing Roof Level Plan
4886 CA 00 00 DR A 01130	PL6	Roof General Arrangement Plan
4886 CA 00 00 DR A 00012 PL Rev	1	Existing South & West Elevations
4886 CA 00 00 DR A 00013 PL Rev	1	Existing North & East Elevations
4886 CA 00 00 DR A 02300	PL9	Proposed Elevations
4886 CA 00 00 DR A 03500	PL7	Proposed GA Sections
4886 CA 00 00 DR A 48100	PL4	Proposed Elevations - External Finishes
4886 CA 00 00 DR A 01115	PL6	Main Office General Arrangement Plans

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE:-

- 1.1 This application was considered at the meeting of the Planning Committee on 31st August 2021. A copy of the original committee report is attached as Appendix A and the minutes of the meeting are attached as Appendix B at the end of this report.
- 1.2 Members will recall that at the meeting it was resolved to grant planning permission for the development subject to the conditions set out in the report, an amended condition 3 on the Construction Management Plan and an additional condition 22 on drainage. The resolution was also subject to the completion of a S106 agreement to secure the following:
- Travel Plan monitoring fee of £3,500;
 - Off-site planting of a tree within the highway verge, subject to below ground investigations, with a commuted sum for ongoing care; and
 - Contribution towards off site tree planting based on the formula set out in policy CH6.
- 1.3 Since the committee resolution, officers and the applicants have been actively working to progress the S106 agreement. That work is ongoing. However, on 14 September, the Natural England Position Statement on Water Neutrality was received by the Local Planning Authority and, as a consequence, the planning permission cannot be issued until this matter is fully addressed.

PLANNING CONSIDERATIONS:-

- 2.1 This report solely considers the water neutrality issue that has arisen since the application was previously discussed by the Planning Committee.
- 2.2 Crawley is situated in an area of serious water stress, as identified by the Environment Agency. The application site is supplied with water by Southern Water from its Sussex North Water Resource Zone (SNWRZ). This supply is sourced from abstraction points in the Arun Valley, which includes locations such as the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites.
- 2.3 On 14 September 2021, the council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the SNWRZ is not having an adverse impact on the protected Arun Valley sites. It advises that developments within this zone must not add to this impact.
- 2.4 Under the Conservation of Habitats and Species Regulations 2017 (s.63), Crawley Borough Council is the Competent Authority and has a duty to consider the impact of development on protected species and habitats. These Regulations and the Natural England Position Statement require, as a matter of law, applications for planning permission in the SNWRZ to demonstrate that they do not increase pressure on water resources and that they are “*water neutral*.” As a consequence, all applications that may affect water consumption need to be ‘screened’ to identify whether the proposed development, individually or in combination with other projects, will result in a significant effect on the Arun Valley sites.
- 2.5 This application is not exempt under the Screening process and therefore the applicants are required to submit evidence so that a judgement can be made by CBC as to whether there could be any potential significant impacts of the development on the Arun Valley sites by way of an ‘Appropriate Assessment’. In accordance with the Natural England Position Statement to meet this test the development must demonstrate that it is “*water neutral*.” The definition of water neutrality is the use of water in the supply area before the development being the same or lower after the development is in place.

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- 2.6 This application is one where the new use proposed for the site, which is as a storage and distribution warehouse, was identified as being potentially more efficient or water neutral than that of the previous site use for warehousing and aviation related food production within a larger building than is currently proposed.
- 2.7 The applications have provided a variety of documents including a Water Neutrality Report (which was updated to respond to queries from the Council's consultants), an Energy and Sustainability Strategy and existing and proposed floorplans. Along with various BREEAM WAT 01 calculator tool outputs and supporting emails, together these form part of the 'Appropriate Assessment'. This information has been independently assessed for CBC by a specialist consultant.
- 2.8 The review considered the existing water use of the building based on existing occupancy, consideration of existing building layout and estimated age of building (and associated water fittings). An annual water consumption figure was calculated (and agreed by CBC's consultants) as 12,636m³/year for the existing use. Further information is awaited on occupancy levels in the existing building.
- 2.9 The proposed development represents a significant reduction in floorspace to around 70% of the current building. This development is speculative, so the future occupancy rate and water usage has been calculated based on the BREEAM water calculation. Based on these assumptions, the water demand calculation, again as agreed by CBC's consultants, is 867m³/year.
- 2.10 Officers and our consultants have considered the report and associated documents and agree with the assumptions and conclusions. Despite the outstanding query about existing occupancy levels, the consultant is confident that this will not significantly affect the water consumption figures. It is therefore considered that, assuming the development is implemented in accordance with the evidence provided, the development would be "water neutral." Conditions are therefore required to ensure compliance with the proposed measures and a further condition due to the speculative nature of the application to control possible water intensive vehicle washing which could be associated with a Class B8 use.
- 2.11 Based on these findings an Appropriate Assessment document is being prepared by Officers and sent to Natural England for comment (as required under the Habitat Regulations). A reasonable time period is required for that consultation.

Conditions

- 2.12 As a result of the measures agreed to successfully address water neutrality, it is recommended that one additional condition be added to the previously recommended conditions and two be amended. The additional conditions 23 and 24 would secure details of the proposed measures to achieve three credits for the BREEAM WAT 01 category and preclude provision of vehicle washing facilities without the consent of the Local Planning Authority. The amended condition 21 would include water neutrality within the reason for restricting the use of the premises. This is because other potential uses, such as offices or industrial use, could increase water usage. This potential impact would need to be assessed before any such change of use could be agreed. It is also recommended that the reasons for condition 9 (Soft landscaping) be amended to include the policy reference, which was previously omitted in error. In addition, the previous resolution to grant was subject to one amended condition (3 - (Construction Management Plan) and one additional condition (22 - Sustainable Urban Drainage System) as agreed at the Planning Committee. These are included in the proposed recommendation.

CONCLUSIONS:-

- 3.1 Officers are satisfied that the applicant has demonstrated that the proposed development would be water neutral. Consequently, approval is recommended subject to the conditions set out in this report and to a S106 agreement to secure the contributions previously agreed.

RECOMMENDATION RE: CR/2021/0174/FUL

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Delegate the decision to **permit** the application to the Head of Economy and Planning, subject to the conclusion of consultation with Natural England, the conclusion of a Section 106 Agreement, and subject to the following conditions (including the amended and additional conditions as set out above):-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to, the following matters:
 - the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - the provision of temporary construction and security lighting;
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - details of public engagement both prior to and during construction works; and
 - details showing how surface water will be drained during the construction phase.REASON: In the interests of highway safety and the amenities of the area in accordance with policies CH3, ENV11, ENV12 and IN3 of the Crawley Borough Local Plan 2015-2030.
REASON why pre-commencement condition: as it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.
4. No development, including any site setting up works, shall take place until a dust management plan to control the emission of dust from the demolition and construction works at the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed dust management plan unless otherwise agreed in writing by the Local Planning Authority. The approved plan should follow the guidance and recommendations in the Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction.
REASON: In the interests of amenity in accordance with policies CH3 and ENV12 of the Crawley Borough Local Plan 2015-2030.
Reason why pre-commencement condition: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.
5. 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. The strategy will include the following components:
 - (1) A preliminary risk assessment which has identified:
 - all previous uses;
 - potential contaminants associated with those uses;
 - 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.

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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 engineering works 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 why pre-commencement: This condition is required pre-commencement as it relates to how contamination will be investigated and remediated during demolition, construction and then during operation.

6. The development hereby permitted shall be carried out in accordance with the FPCR Arboricultural Method Statement and its Tree Protection Plan dated March 2021 submitted with the application. The tree protection measures set out within the report must be fully implemented prior to the commencement of site setting up activities or demolition and thereafter maintained for the duration of the construction works.

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

Reason why pre-commencement: As site setting up activities involve risk to nearby trees and to ensure that no harm occurs to trees that are being retained.

7. With the exemption of demolition, site preparation, drainage, foundation and structural works, development shall not take place 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.

8. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
- Monitoring of any standing water within the site, whether temporary or permanent; and
 - Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.

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

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

Reason why pre-commencement condition: As it relates to potential aviation safety issues arising from drainage during and post construction.

9. No above ground development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:

- The species, number and spacing of trees and shrubs

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 and in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.

10. No development, other than demolition, shall take place until details of the provisions referred to in the submitted Energy and Sustainability Strategy dated February 2021 to facilitate the connection of the development to a future District Energy Network in the vicinity have been 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 and the Planning and Climate Change Supplementary Planning Document.

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11. No solar panels shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the photovoltaics referred to in the submitted Energy and Sustainability Strategy dated February 2021 have been installed and made operational in accordance with full details that have first been submitted to and been approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and no subsequent alterations to the approved scheme shall take place unless submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of environmental sustainability and to ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues, in accordance with policies ENV6 and IN1 of the Crawley Borough Local Plan 2015-2030.
12. Within three months of the occupation of the development, a post-construction report shall be submitted to and agreed in writing by the Local Planning Authority verifying that the development has achieved the minimum Energy and Water standards for BREEAM 'Excellent'.
REASON: In the interests of sustainable design and construction in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.
13. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in strict accordance with the approved piling method statement.
REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure, which piling has the potential to damage or impact upon and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
14. The development hereby approved shall not be first occupied until details of the maintenance and management of the SuDS system have been set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented and maintained in accordance with the approved details.
REASON: This is a major development and the performance of the SUDS must be future proofed to avoid flooding within the development and subsequent flood and drainage problems off-site in accordance with Policy EN8 of the Crawley Borough Local Plan 2015 - 2030.
15. No part of the development shall be first occupied until such time as the existing vehicular access onto Manor Royal has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.
REASON: In the interests of road safety in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.
16. Prior to the first occupation of the development hereby approved, the car, cycle, motorcycle and lorry parking serving the warehouse 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 Supplementary Planning Document.
17. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided and made operational in accordance with plans and details submitted to and approved by the Local Planning Authority.
REASON: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and the relevant provision of the National Planning Policy Framework.
18. All planting, seeding or turfing comprised in the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from

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the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

19. Upon the first occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.
REASON: To encourage and promote sustainable transport in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030 and the National Planning Policy Framework.
20. Prior to the first occupation of the warehouse building hereby approved, a verification report demonstrating the completion of the 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 engineering works 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.
21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, including any future amendments, the proposed building hereby approved shall be used for storage and distribution (B8) use only and for no other purpose 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 levels of parking provision and the appropriateness of other uses within the Manor Royal Main Employment Area can be properly assessed in accordance with policies CH3, EC2 and EC3 of the Crawley Borough Local Plan 2015-2030 and the parking standards within the Urban Design Supplementary Planning Document and, taking account of the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, in breach of the Conservation of Species and Habitats Regulations 2017.
22. Prior to the occupation of the development hereby permitted, a post construction drainage certification shall be submitted to and approved in writing by the Local Planning Authority. This shall confirm that the works, including the SuDS features, proposed in the Flood Risk Assessment have been constructed as stated. This shall be carried out by a third party.
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.
23. No above ground development shall take place until precise details of the low-flow water fittings to be installed for both units to achieve at least a 40% improvement on the BREEAM baseline standard and to meet the target of 3 credits for the WAT 01 category have been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details
REASON: In order to comply with the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.
24. No part of the building or the site shall be designated, equipped or used as a vehicle washing area without the prior written consent of the Local Planning Authority.

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REASON: In order to comply with the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.

INFORMATIVES

1. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email: 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.
3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk (Please refer to the Wholesale; Business customers; Groundwater discharges section).
4. The applicant is advised that this site falls within the area covered by Southern Water plc. For your information, contact details are Southern Water, Southern House, Yeoman Road, Worthing, West Sussex BN13 3NX (Tel: 0845 278 0845).
5. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
6. The applicant is encouraged to engage with Manor Royal BID regarding the ReEnergise Manor Royal Onsite Renewable Energy Project, sustainable travel initiatives and other ongoing initiatives in the area.

1. NPPF Statement

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

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

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 31 August 2021
 REPORT NO: PES/374(a)

REFERENCE NO: CR/2021/0174/FUL

LOCATION: [LAND AT FARADAY ROAD & MANOR ROYAL, NORTHGATE, CRAWLEY](#)
WARD: Langley Green & Tushmore
PROPOSAL: PROPOSED DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF A NEW WAREHOUSE BUILDING WITH ANCILLARY OFFICES, ASSOCIATED SERVICE YARD, PARKING, ACCESS ALTERATIONS, INFRASTRUCTURE, LANDSCAPING AND ANCILLARY WORKS

TARGET DECISION DATE: 9 June 2021

CASE OFFICER: Mr H. Walke

APPLICANT'S NAME: Lakenorth Limited

AGENT'S NAME: DWD Property + Planning

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
09936 FPCR XX ZZ DR L 00001 Rev	02	Outline Landscape Proposals
4886 CA 00 00 DR A 01050	PL7	Site Location Plan
4886 CA 00 00 DR A 00001	PL1	Existing Site Layout
4886 CA 00 00 DR A 1001 PL	1	Existing Warehouse Plan Ground Floor Plan
4886 CA 00 00 DR A 01052	PL13	Proposed Site Layout
4886 CA 00 00 DR A 01110	PL8	Proposed Warehouse Plan
4886 CA 00 00 DR A 93100	PL9	Fencing Details
4886 CA 00 00 DR A 94010	PL11	Proposed External Finishes
4886 CA 00 00 DR A 97010	PL7	Bicycle & Motorcycle Shelter Details
4886 CA 00 00 DR A 01002 PL Rev	1	Existing Roof Level Plan
4886 CA 00 00 DR A 01130	PL6	Roof General Arrangement Plan
4886 CA 00 00 DR A 00012 PL Rev	1	Existing South & West Elevations
4886 CA 00 00 DR A 00013 PL Rev	1	Existing North & East Elevations
4886 CA 00 00 DR A 02300	PL9	Proposed Elevations
4886 CA 00 00 DR A 03500	PL7	Proposed GA Sections
4886 CA 00 00 DR A 48100	PL4	Proposed Elevations - External Finishes
4886 CA 00 00 DR A 01115	PL6	Main Office General Arrangement Plans

WIE18065-SA-95-0002-A01	Former Eastern Access Proposed Lanscaping and General Arrangement
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CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL Aerodrome Safeguarding	No objection subject to conditions
2. WSCC Highways	No objection subject to conditions
3. National Air Traffic Services (NATS)	No safeguarding objection
4. Thames Water	No objection subject to conditions and informatives
5. Sussex Building Control Partnership	No response received
6. CBC Drainage Officer	No objection subject to conditions
7. CBC Planning Arboricultural Officer	No comments received
8. CBC Environment Team	No response received
9. CBC Contaminated Land	No objection subject to condition
10. CBC Environmental Health	No objection subject to conditions
11. CBC Energy Efficiency & Sustainability	No objection subject to conditions
12. CBC Urban Design	No response received
13. WSCC Lead Local Flood Authority	No objection subject to conditions
14. CBC Manor Royal	Support the application
15. CBC Env Health (AQMA)	No objection subject to condition
16. CBC Economic Development	No response received
17. WSCC Fire & Rescue	No response received
18. The Gatwick Diamond Initiative	No comments received
19. Manor Royal BID	Support, comments provided

NEIGHBOUR NOTIFICATIONS:-

Avtrac UK Ltd Ground Floor East Wing, Manor Place;
 Lakenorth Ltd First Floor East Wing, Manor Place;
 Boeing UK Training and FS Ltd, Faraday Road;
 Harwoods Jaguar Land Rover, Manor Royal;
 LTW Ltd Ground Floor West Wing, Manor Royal;
 Rico Logistics Ltd, Unit 4, The Faraday Centre;
 Allport Cargo Services Ltd, Units 2 and 3, The Faraday Centre;
 Suite A Durand House, Manor Royal;
 Treasure Chest Unit 1, The Faraday Centre;
 LSG Skychefs UK Ltd, Faraday Road;
 Unit 1, Connect Way;
 Parr Garage Unit 5, The Faraday Centre;
 Commercial Property Ltd, First Floor West Wing, Manor Place;
 Unit 38 Basepoint Business Centre, Metcalf Way, Manor Royal Business District.

RESPONSES RECEIVED:-

None received

THE APPLICATION SITE:-

- 1.1 The site is a square shape and situated on the north-east corner of the Manor Royal/Faraday Road junction. It has an area of approximately 1.4 hectares. It currently contains a large warehouse building with two storey ancillary offices fronting Manor Royal. The existing floorspace is 10,261 sqm, predominantly comprising 8,380 sqm warehouse (B8) use, with a further 1,881 sqm office floorspace. The building appears to be at least partially vacant.

- 1.2 There are a number of vehicular access points, on both Manor Royal and Faraday Road. The west side of the building, on the Faraday Road frontage, has a row of HGV loading bays. There is also a vehicular access to a rooftop car park at the northern end of the Faraday Road frontage. There is further surface car parking on the Manor Royal frontage, with a vehicular access along the eastern side of the site. Adjoining land to the south and west forms adopted public highway. The surrounding

uses are commercial, including B class uses, but with vehicle related uses immediately to the east and west.

- 1.3 The site lies within the Manor Royal Main Employment Area as defined in the Local Plan. In economic and employment terms, Manor Royal is extremely important to Crawley and the wider Gatwick Diamond area. The estate is covered by Article 4 directions removing permitted development rights for changes of use to residential (C3) uses from office (B1a), storage and distribution (B8) and light industrial (B1c).
- 1.4 The site also lies within a Priority Area for District Energy Networks as set out in the Local Plan. The Local Plan defines Structural Landscaping within the town, which includes the existing landscaping along Manor Royal. The site also lies within the Long Distance View Splay from Target Hill, which lies to the south-west. The site is shown as contaminated land on Council records.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposal is for the demolition of the existing warehouse and the subsequent redevelopment of the site to form a new warehouse (B8) building (7,399 sqm in total). The building would be primarily warehouse space (7,319 sqm), with ancillary offices (680 sqm) and a small gatehouse.
- 2.2 The proposed warehouse would be located centrally within the site. It would measure 110 metres east to west and a maximum of 75 metres north to south. Its maximum height would be 15.85 metres. There would be car parking areas accessed from Manor Royal and, to the west of the building directly from Faraday Road. At the northern end of the site would be a gated access leading into the service yard. The building would have goods doors in its north elevation and office related glazing facing the junction of Manor Royal and Faraday Road. The main materials would be grey cladding panels.
- 2.3 A total of 61 car parking spaces are proposed, the majority of which would be located on the Manor Royal frontage. These would include four disabled spaces and thirteen electric vehicle spaces. There would be a further 28 commercial vehicle parking spaces within the service yard, besides those located at each of the twelve loading bays. Secure cycle parking to accommodate 33 cycles and five motorcycle spaces are also proposed.
- 2.4 In support of the application, the applicant has submitted the following documents:
 - Arboricultural Impact Assessment and Method Statement
 - Air Quality Assessment
 - BREEAM Pre-Assessment
 - Design and Access Statement
 - Ecology Report
 - Energy and Sustainability Strategy
 - Flood Risk Assessment
 - Framework Travel Plan
 - Planning Statement
 - Preliminary Environmental Risk Assessment
 - Transport Statement
 - Utilities Assessment Report
- 2.5 The proposal has been amended since it was first submitted, following concerns raised about design and the visual impact of largely blank elevations along the Faraday Road and Manor Royal streetscenes. The revised scheme has resited the office accommodation and associated glazing to the junction of Manor Royal and Faraday Road and relocated a substation away from this prominent corner. There was no change to the building footprint, but minor changes to the internal floorspace and the loss of three car parking spaces resulted. The landscaping proposals have also been revised following discussions about improved tree planting along Manor Royal.

PLANNING HISTORY:-

- 3.1 The site appears to have originally been developed in the mid-1950s for industrial/factory use (refs Z/49/167, CR/164/53 and CR/11/54). There were various extensions through the 1960s. Permission

was granted for “Use as industrial storage” in 1973 (CR/110/73). Subsequently there have been a number of applications for alterations, telecommunications and advertisements.

3.2 There is no recent relevant planning history.

PLANNING POLICY:-

National Planning Policy Framework

- 4.1 The updated National Planning Policy Framework (NPPF) published in July 2021 states that the purpose of the planning system is to contribute to the achievement of sustainable development. In achieving this the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.
- 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, helping to improve biodiversity and addressing climate change.
 - Section 6 – ‘Building a strong, competitive economy’ emphasises the need for the planning system to help create conditions where businesses can invest, expand and adapt in order to support the need for economic growth and productivity. 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.
 - Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
 - Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
 - Section 14 – Meeting the challenge of climate change, flooding and coastal change. In addition to supporting the increased use of renewable and low carbon energy and reducing greenhouse gas emissions, including complying with local sustainability requirements, flood risk should not be increased elsewhere and sustainable drainage systems should be incorporated in major developments.
 - Section 15 – Conserving and enhancing the natural environment. Planning policies and decisions should contribute to and enhance the natural and local environment. Development should not add to or be at risk from pollution.

Crawley Borough Local Plan 2015-2030

- 4.2 The following Crawley Borough Local Plan 2015 – 2030 (adopted December 2015) policies are relevant, which can be viewed online at:
- Policy SD1 (Presumption in Favour of Sustainable Development) The Council will take a positive approach, in line with the planned approach to Crawley new town, to approving development which is sustainable and work proactively with applicants, stakeholders and other partners to find solutions. Development will be supported where it meets strategic objectives including becoming carbon neutral and addressing climate change; complementing the town’s compact character and neighbourhood principles; respecting heritage; protecting and enhancing Green Infrastructure; creating a safe environment; providing for social and economic needs; and according with the Plan’s policies and objectives.
 - Policy CH2 (Principles of Good Urban Design) Proposals must support locally distinctive development patterns, landscape character and heritage; create defined frontages and public/private areas; create safe and attractive routes for all; connect places for people and integrate land use and transport; provide recognisable routes and landmarks; consider flexible

development which responds to changing needs; provide diversity and choice to create viable places and meet local needs.

- Policy CH3 (Normal Requirements of all New Development) Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by Design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and, where any are lost, replacement tree planting should accord with the standards set out in policy CH6.
- 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.
- Policy CH6 (Tree Planting and Replacement Standards) Sets out that where development would result in the loss of trees, these should be identified and replaced to mitigate the visual impact from the loss of canopies. The requirement for replacement trees is based on the size of the trees to be lost and this is expected to take place on site or be subject to commuted payments for planting elsewhere. The Manor Royal Design Guide sets out tree planting requirements for that area.
- Policy CH7 (Structural Landscaping) requires that development proposals should protect and/or enhance structural landscaping, which runs along Manor Royal.
- Policy EC1 (Sustainable Economic Growth) This policy supports Crawley's role as the key economic driver for the Gatwick Diamond area and supports business growth. The policy seeks to ensure that Crawley's recognised economic role and function is maintained and enhanced through building upon and protecting the established role of Manor Royal as the key Business (B1), General Industry (B2) and Storage and Distribution (B8) location for Crawley and ensuring that it is the focus for sustainable economic growth. The policy sets out the need for approximately 23 hectares of employment land over the plan period.
- Policy EC2 (Economic Growth in Main Employment Areas) 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 and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.
- Policy ENV1 (Green Infrastructure) 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 will be expected to incorporate biodiversity features where appropriate and enhance existing features of nature conservation value around the development.
- 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.

- Policy ENV7 (District Energy Networks) Major developments within a Priority Area for District Energy Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area.
- Policy ENV9 (Tackling Water Stress) Non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- Policy ENV10 (Pollution Management and Land Contamination) ensures that new development does not increase levels of pollution or hazards and is appropriate to its location. Where a site may be at risk from contaminants or hazardous materials, information must be provided on how the risk will be addressed and pollution treated or removed.
- Policy ENV12 (Air Quality) states that proposals that do not have a negative impact on air quality will normally be permitted.
- Policy IN1 (Infrastructure Provision) Development must be supported by necessary on and off site infrastructure, including mitigation where needed, to avoid harmful impact upon existing infrastructure.
- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires proposals to be connected to high quality communications infrastructure.
- Policy IN3 (Development and Requirements for Sustainable Transport) Development should be focussed to achieve sustainable transport through use of public transport, walking and cycling. Development should meet the access needs generated and not have unacceptable impact on congestion or highway safety. Proposals should be supported by a Transport Statement/Assessment.
- Policy IN4 (Car and Cycle Parking Standards) Proposals should provide the appropriate car and cycle parking required by supplementary guidance.

Submission Draft Crawley Borough Local Plan 2021-2037

4.3 The Crawley Borough Local Plan is in the process of review. The Council published its Submission Draft Local Plan (Regulation 19) in early January 2021. A public consultation was undertaken between 6 January and 30 June 2021 and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy SD2: Enabling Healthy Lifestyles and Wellbeing
- Policy CL2: Making Successful Places: Principles of Good Urban Design
- Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
- Policy CL4: Compact of New Development – Layout, Scale and Appearance
- Policy DD1: Normal Requirements of All New Development
- Policy DD4: Tree Replacement Standards
- Policy DD6: 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 EC4: Strategic Employment Location
- Policy EC5: Employment and Skills Development
- Policy GI1: Green Infrastructure
- Policy GI3: 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 EP6: External Lighting

- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

Supplementary Planning Documents

4.4 The following supplementary planning documents are also applicable to the development of this site:

Planning and Climate Change SPD – Adopted October 2016 – This provides further guidance on addressing the sustainability policies within the Local Plan, with examples of best practice and how to demonstrate compliance with the policies.

Green Infrastructure SPD – Adopted October 2016 - This SPD provides further guidance on new and replacement tree planting, protection of existing trees, biodiversity and wider landscaping issues.

Urban Design SPD – Adopted October 2016 - This document provides further advice on the principles of good urban design in the Crawley context, highlighting in particular the importance of massing and materials, public realm, street design, parking and sustainable design.

In respect of non-residential development, para 3.62 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.”

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.

Annex 1 of the SPD contains the Borough’s indicative minimum parking standards. For sites in Manor Royal the following apply: For warehousing (B8), one car parking space per 100 square metres and one lorry space per 500 square metres (minimum one space) is required. For office uses, one car parking space per 31 square metres is the minimum standard. Disabled, cycle and motorcycle parking standards are also contained within Annex 1.

Manor Royal Design Guide SPD and Public Realm Strategy – Adopted July 2013

This document aims to support economic growth in Manor Royal, providing guidance to ensure that new development makes a significant contribution to the uplift of the area and secures delivery of high quality development which supports the key business function. It requires all development to demonstrate the following:

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

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. A key approach to delivering these improvements is achieving robust and consistent frontages 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.

Manor Royal is identified as a primary road. The site is covered by the 'Manor Royal' heading in the SPD, which raises the opportunity for additional hornbeam planting along the road. The SPD sets out expectations in terms of landscaping, tree planting and appropriate distances that buildings should be set back. Faraday Road is identified as a secondary road, whilst important for navigation. The Design Guide states how Faraday Road would be improved by the introduction of tree and shrub planting. It also covers set back distances for new buildings. The Guide states that *"additional on-site planting would be to supplement the relatively narrow grassed highway verges and areas of less robust planting, particularly in respect of additional trees. The minimum depth of frontage planting requirement would be 3m of planting across the entire frontage with trees at 15m spacing."*

The Character Area A guidance in paragraph 4.1.1 provides further advice. It seeks to:

- Maintain the spacious setting of buildings;
- Build on the positive impact of high quality public realm and development through promoting high quality buildings that also improve the private realm;
- Provide active frontages, high quality materials, and planting of high aesthetic quality and durability; and
- Given the spacious and prominent nature of the area, explore the potential for taller buildings with due regard to the safeguarding requirements of Gatwick Airport.

Developer Contributions Guidance Note (published July 2016)

- 4.5 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. The document also sets out the Manor Royal contribution requirement towards the public realm in this area.

PLANNING CONSIDERATIONS:-

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

- Principle of development
- Design and appearance of the proposal
- Highways and parking
- Trees and landscaping
- Impact upon neighbouring properties/occupiers
- Sustainability
- Air quality
- Contaminated land
- Drainage and flooding
- Aviation
- Infrastructure contributions

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 existing warehouse building (10,261 square metres (8,380 sqm warehouse (B8) use with 1,881 sqm ancillary offices). It would be replaced by a new warehouse building with ancillary offices (total 7,399sqm (7,319 sqm warehouse with ancillary offices 680 sqm, a meeting room and gatehouse)). This represents a reduction of just under 3,000 square metres of employment floorspace. Given the loss in total floorspace, the proposal needs to be considered against the three tests in policy EC2:

i. **the site is no longer suitable, viable or appropriate for employment purposes;**

The proposed development would result in a net loss of employment floorspace. However, the site is currently not occupied, its dated form is not suited to modern warehouse needs, with the applicant raising particular concerns about its height, and it seems unlikely to be fully reoccupied in the near future.

There is a significant need for new Class B8 development in Crawley, with the Crawley Focussed Economic Growth Assessment (2020) identifying need for at least 32.8ha new industrial (B1c/B2/B8) employment land. The NPPF para 82(d) requires planning policies to be flexible enough to enable a rapid response to changes in economic circumstances. The application, whilst resulting in (for operational reasons) an overall loss of employment floorspace, would retain the site in warehouse use, bringing what is a currently under-utilised site into active employment use, and would help to meet an identified need for B8 floorspace.

ii. **the loss of any floorspace will result in a wider social, environmental or economic benefit to the town;**

Given its current vacancy levels, the proposal would increase employment opportunities on the site. As a speculative development, it is not certain how many jobs would be created, but these would clearly provide economic and social benefits for Crawley.

iii. **there is no adverse impact on the economic role or function of the Main Employment Area, and wider economic function of Crawley.**

The existing building is largely vacant and, given its age and design, is unlikely to be attractive to potential occupiers. Given that the development would retain the site in employment use and would contribute to accommodating the need for warehouse units, although providing a reduced amount of floorspace, it is not considered that the partial loss of employment floorspace would undermine the function of Manor Royal as an MEA, nor the wider economic function of Crawley.

5.4. Having regard to the above, the proposed development, although resulting in a loss of employment floorspace, it would retain the site in business focussed employment use, helping to meet what is a significant B8 floorspace need for Crawley. It would also support the expansion of an existing Manor Royal business and create new job opportunities. Officers consider that the applicant has provided sufficient economic information explaining the rationale for the reduction in floorspace. This explains that the existing buildings are nearing the end of their life cycle and no longer meet current business needs, which is reflected by the buildings having been part vacant for a number of years. Specifically, the information sets out that current market needs can be better catered for through a modern building of increased height, and a reduction building footprint to facilitate an increased yard and improved vehicle circulation space. Having reviewed the supporting information, it is considered by officers that although the proposal would result in some loss of employment floorspace, redevelopment of the site will bring about its improvement as an employment location, supporting the economic function of Manor Royal and that of Crawley, whilst delivering broader sustainability benefits. As such, it is considered that the applicant has justified the proposed net reduction in employment floor space consistent with Policy EC2.

5.5. The emerging Local Plan can be given little weight but, in this case, it is also worth noting that the draft wording of the updated Policy EC2 would allow a limited loss of employment floorspace where this may support the wider economic use of a 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.

5.6. Manor Royal BID has written in support of the application and state that it would help create a more modern feel at the heart of Manor Royal. They recommend engagement by the developer with the BID regarding the ReEnergise Manor Royal Onsite Renewable Energy Project and sustainable travel initiatives.

5.7. Overall, the applicant is considered to have justified the reduction in warehouse floorspace and it is considered that the redevelopment of the site for modern warehouse use would support Manor Royal as a main employment area, contributing positively to its business function and that of the wider

Crawley economy. 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.

Design and appearance of the proposal

- 5.8. Policies CH2, CH3 and EC3 of the Local Plan 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 and affords this document significant weight. The design and landscaping of any development at this site would need to be carefully considered, given its visually prominent location.
- 5.9. The site is located centrally within Manor Royal and the Core Business Zone Character Area A identified in the Manor Royal Design Guide. The key design and layout considerations for proposals in this location are to:
- Maintain the spacious setting of buildings;
 - Build on the positive impact of high quality public realm and development through promoting high quality buildings that also improve the private realm;
 - Provide active frontages, high quality materials, and planting of high aesthetic quality and durability; and
 - Given the spacious and prominent nature of the area, explore the potential for taller buildings with due regard to the safeguarding requirements of Gatwick Airport.
- 5.10. The existing building makes little positive contribution to the visual appearance of the area, although its glazing on the southern elevation at least offers an active frontage. The building has no significant architectural merit and the west elevation to Faraday Road is dominated by loading bays. There is no objection on design grounds to redevelopment.
- 5.11. The revised proposal will introduce a new focal point at the Manor Royal/Faraday Road junction, following the relocation of the ancillary office floorspace. This would introduce three storeys of glazing wrapping around the corner. The main pedestrian entrance would also be located on the corner. The glazing would be highlighted by a projecting fin and canopy. The remainder of the Manor Royal and Faraday Road frontage would be blank, but feature profiled vertical cladding at the lower level with contrasting flat horizontal cladding panels above. To the north, the building would feature a series of loading bays for vehicles of varying sizes. This loading area would be largely screened from public view by the extent of the building running along Faraday Road. Landscaping to the south of the site would enhance its appearance and provide some screening of the blank element of the southern elevation. Additional tree planting within the highway verge, to fill a gap within the existing line of trees is also proposed.
- 5.12. Overall, it is considered that the design and layout of the building and site would be appropriate within the context of the town's main employment area. Whilst it is a substantial and relatively plain building, this reflects its proposed warehouse function. The prominent corner part of the site has been improved and will accommodate the most active part of the frontage, with activity being visible within the office space. As such, the proposal is considered to be acceptable in design terms and would accord with the relevant policies within the Crawley Borough Local Plan and the Manor Royal SPD.

Highways and parking

- 5.13. The site is located on Manor Royal, which forms a key and busy east-west link across the Manor Royal Business District. Faraday Road, whilst a more minor road, is also busy and used by a variety of commercial vehicles, including HGVs. The site currently has accesses onto both roads. The site currently has a total of 287 car parking spaces, mainly on the roof. There are thirteen goods vehicle bays accessed directly from Faraday Road.
- 5.14. The proposal would retain the existing vehicular access at the north-west corner of the site, which currently serves the rooftop car park. This would form the access to the service yard for the proposed warehouse. The eastern access from Manor Royal would be closed, with the other access serving the proposed car park to the south of the building. WSCC Highways have confirmed that, subject to some further detail and the conclusion of a S278 agreement, they are satisfied that the off-site

highway works to close the access and reinstate the footway, verge and kerb are acceptable. As stated below, this also offers the opportunity for new tree planting.

- 5.15. Given the reduction in floorspace compared to the existing building, the Transport Assessment confirms that the scheme would result in a reduction by all modes of travel compared to what is currently operating. It states that vehicle trips will reduce from 814 to 483 and that this will be seen in the AM/PM peaks. WSCC Highways accept these findings.
- 5.16. Pedestrians would use the existing pedestrian routes on Faraday Road and Manor Royal to access the main entrance close to the junction or use gates to enter the service yard. Cycle and motorcycle parking is proposed on the Faraday Road frontage.
- 5.17. The application site is in a sustainable location, with bus stops located directly outside on Manor Royal and slightly to the north on Faraday Road (the latter serving the Fastway service). There are cycle routes along Manor Royal and, slightly to the south-west, a dedicated route towards the town centre. There are parking restrictions on both Manor Royal and Faraday Road, with very limited on-street parking near the site. The Manor Royal estate also has a good network of footpaths and crossings. The site is in a good location to encourage sustainable travel amongst the workforce.
- 5.18. 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. The Council's parking standards for Warehousing (B8) is one space per 100sqm for cars and one space per 500sqm for lorries (1 lorry space minimum). With a total building floor area of 7,399 sqm, the proposal should provide 74 car parking spaces and 15 lorry parking spaces. The total number of vehicle parking spaces proposed is 89, which meets the overall parking requirement. The mix is shifted towards commercial vehicle spaces, rather than cars in the scheme, but some of the spaces within the service yard could be used for car parking if required by a future occupier. Overall, the level of vehicle parking is acceptable and no objection is raised by WSCC Highways on parking grounds.
- 5.19. A total of thirteen electric vehicle charging spaces are proposed. WSCC Highways comment that this equates to 20% of the standard car parking spaces, which is in accordance with their guidance. A total of 33 cycle spaces and five motorcycle spaces are also proposed, which is slightly higher than the required 23 cycle spaces for staff and visitors. This will help to encourage sustainable travel and is acceptable.
- 5.20. The applicant has prepared a framework travel plan, which is considered acceptable at this stage by WSCC Highways. WSCC Highways seek a Travel Plan Auditing Fee to cover the resource costs of assessing and auditing Travel Plans through the planning process, and as part of the 5 year monitoring period. The applicant has agreed to this contribution of £3,500, which can be secured through a S106 contribution. WSCC Highways also seek conditions to address the access closure, EV charging spaces, a Travel Plan and a Construction Management Plan.
- 5.21. Overall, the proposal is considered acceptable in highways and parking terms, subject to conditions, and to comply with the sustainable transport requirements of local and national policies.

Trees and landscaping

- 5.22. The applicant has submitted an Arboricultural Impact Assessment and Method Statement. There is limited planting within the site as existing. There is a Swedish Whitebeam in the south west corner of the site, which is relatively prominent although has a lean and appears to be experiencing root plate lifting. It is not considered worthy of retention. To the east along the southern boundary is a Wild Cherry and a group of trees that appear to have been topped. These trees are all visually dominated by two taller and apparently healthy London planes within the highway verge. There are other hornbeams within the highway verge along the Manor Royal frontage. It is proposed to remove the Swedish Whitebeam, the Wild Cherry and the group of smaller trees on the southern boundary. Taking account of the girth of the trees and policy CH6, a total of 17 replacement trees should be planted.

- 5.23. The proposed landscaping scheme proposes six hornbeam within the site along the southern boundary. These should grow to a height of 10-18 metres and will fill an existing visual gap in the landscaping at this point. An additional tree is hoped to be planted in the highway verge following the closure of the existing easternmost vehicular access. Four trees would be planted in the north west corner of the site and three to the north east. Along the eastern and northern boundaries, a hornbeam hedge is proposed. Supporting ground cover planting is proposed to all except the Faraday Road frontage. At the north western corner of the site, the SUDS proposals will allow some wetland planting to take place.
- 5.24. With regard to the highway verge tree proposed, WSCC Highways have commented that utility services and method of planting will need to be assessed in more detail. They will also need to agree the species and a contribution towards ongoing maintenance. In planning terms, officer consider that these matters can be addressed through a S106 agreement.
- 5.25. Overall, the landscaping, despite the loss of some trees, is considered to be a significant improvement on existing landscaping and will provide some vegetation screening for blank parts of the elevations and serve to reinforce the Structural Landscaping along Manor Royal. There is a slight shortfall of replacement tree provision against the policy requirement. This may be addressed by enhanced planting within the highway verge, but otherwise can be covered by an off-site contribution of up to £2100 (£700 x 3 trees).

Impact on neighbouring properties/occupiers

- 5.26. The surrounding area is industrial and commercial in its nature and appearance and protected for such uses by planning policies. Immediate industrial/commercial 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, subject to the dust management and construction management plans requested by consultees.

Sustainability

- 5.27. Policy ENV6 (Sustainable Design and Construction) states that 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. Policy ENV7 (District Energy Networks) states that major developments within a Priority Area for District Heat Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area. Policy ENV9 (Tackling Water Stress) states that non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- 5.28. The proposal is supported by an Energy & Sustainability Strategy and a BREEAM Pre-Assessment Document. The Energy & Sustainability Strategy identifies both the current adopted and draft policies, and responds in the following terms:
- Building fabric, lighting and ventilation services are set at a level of efficiency to achieve Building Regulations compliance before allowing for any low/zero carbon technology;
 - The development is proposed to be 'future proofed' for connection to a future heat network through inclusion of a suitable location for the heat network to enter the building and connect to a future heat interface unit and a route for the network from the site boundary identified as safeguarded for a future pipework route;
 - 59 kWp of solar photovoltaic provision on the roof;
 - Air source heat pumps are proposed for provision of heating and cooling to the office areas
- 5.29. As a result of these measures, the development proposes to achieve a 25% reduction in CO₂ emissions, compared with Building Regulations standards, with 20.4% of the energy demand being derived from low and zero carbon sources. Thirteen electric vehicle charging points are also proposed.

- 5.30. The Energy and Sustainability officer is satisfied with these proposals, subject to appropriate conditions. The proposed 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 can be secured by conditions.

Air Quality

- 5.31. The application was supported by an Air Quality Assessment that considered the air quality impacts during demolition, construction and subsequent operation. The Council's Air Quality officer raises no objection. She comments that the report found that during the construction phase, dust emissions can be adequately managed by adopting appropriate mitigation measures. She recommends a condition to secure a Dust Management Plan be attached to any approval.
- 5.32. Unlike other recent warehouse schemes in Manor Royal, the proposal, due to the existing warehouse use and the reduction in floorspace, would result in a decrease of 331 two-way vehicle trips per day. Consequently, the Air Quality officer is satisfied that the proposal "*would not create any additional, significant, adverse air quality impacts.*"
- 5.33. Overall, subject to the Dust Management Plan condition, the proposal would not result in an adverse impact upon air quality and would therefore accord with Local Plan policies CH3 and ENV12.

Contaminated Land

- 5.34. The site lies at the centre of Manor Royal and contains an existing warehouse building. The site was formerly an engineering works. It is identified as being potentially contaminated. The applicant submitted a Preliminary Environmental Risk Assessment. The report and its recommendations were considered acceptable by the Council's Contaminated Land officer. He recommends a four stage strategy to assess the risks associated with possible contamination and to address them appropriately. Confirmation of the completion of the remediation works is also required. Therefore, the proposal, subject to these conditions, would not result in an adverse impact regarding contamination and is considered acceptable in this regard.

Drainage and flooding

- 5.35. The site is located in Flood Zone 1, with a low probability of flooding. SUDS techniques, including permeable surfacing, a basin in the north-west corner to reduce flows and geocellular tanks to the north and south of the site are proposed. The Council's Drainage officer and WSCC Lead Local Flood Authority are happy with the detail provided and have no objection, subject to conditions.
- 5.36. Thames Water has commented that the development would be close to a strategic sewer. The company does not object, subject to a method statement being approved and implemented if piling is proposed. In terms of discharge to the public sewer, a permit will be required from Thames Water and efforts made to minimise discharges. Overall, the scheme is considered acceptable in drainage and flooding terms.

Aviation

- 5.37. Gatwick Airport Safeguarding and NATS Safeguarding confirm that they have no objection to the proposal on aviation safety grounds. Gatwick Airport seeks conditions covering a Bird Hazard Management Plan, landscaping and the use of solar PV panels to ensure that these matters are acceptable in relation to the airport.

Developer contributions

- 5.38. A S106 agreement would be required if permission is to be granted to secure the following contributions:
- Travel Plan monitoring fee of £3500
 - Off-site planting of a tree within the highway verge, subject to below ground investigations, with a commuted sum for ongoing care

- Contribution towards off site tree planting based on the formula set out in policy CH6.

5.39. The proposal would result in a reduction in business floorspace, so a Manor Royal contribution towards public realm improvements would not be required.

CONCLUSIONS:-

- 6.1. The redevelopment of the site to create a modern, albeit slightly smaller, warehouse is acceptable in planning policy terms and would help support Manor Royal. The warehouse design, whilst relatively plain and functional, along with its size, massing, materials and landscaping are considered acceptable within Manor Royal. The operational needs of the site would be met by the proposed parking arrangements and the Local Highway Authority have confirmed there are no objections in terms of impact upon road capacity or highway safety. The proposals in relation to drainage, air quality and contaminated land are 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 a legal agreement to secure the Travel Plan monitoring fee and tree planting, it is considered that the proposal would accord with the relevant sections of the NPPF, policies within the Local Plan and the relevant Supplementary Planning Guidance. On this basis, it is recommended that planning permission be granted.

RECOMMENDATION RE: CR/2021/0174/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. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to, the following matters,
 - the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - the provision of temporary construction and security lighting;
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
 - details of public engagement both prior to and during construction works.REASON: In the interests of highway safety and the amenities of the area in accordance with policies CH3, ENV11, ENV12 and IN3 of the Crawley Borough Local Plan 2015-2030.
REASON: why pre-commencement condition: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.
4. No development, including any site setting up works, shall take place until a dust management plan to control the emission of dust from the demolition and construction works at the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed dust management plan unless otherwise agreed in writing by the Local Planning Authority. The approved plan should follow the guidance and recommendations in the Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction.

REASON: In the interests of amenity in accordance with policies CH3 and ENV12 of the Crawley Borough Local Plan 2015-2030.

Reason why pre-commencement condition: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.

5. 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. The strategy will include the following components:

(1) A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- 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 engineering works 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 why pre-commencement: This condition is required pre-commencement as it relates to how contamination will be investigated and remediated during demolition, construction and then during operation.

6. The development hereby permitted shall be carried out in accordance with the FPCR Arboricultural Method Statement and its Tree Protection Plan dated March 2021 submitted with the application. The tree protection measures set out within the report must be fully implemented prior to the commencement of site setting up activities or demolition and thereafter maintained for the duration of the construction works.

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

7. With the exemption of demolition, site preparation, drainage, foundation and structural works, development shall not take place 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.

8. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Monitoring of any standing water within the site, whether temporary or permanent; and
- Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.

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

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

Reason why pre-commencement condition: As it relates to potential aviation safety issues arising from drainage during and post construction.

9. No above ground development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
 - The species, number and spacing of trees and shrubsNo 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.
10. No development, other than demolition, shall take place until details of the provisions referred to in the submitted Energy and Sustainability Strategy dated February 2021 to facilitate the connection of the development to a future District Energy Network in the vicinity have been 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 and the Planning and Climate Change Supplementary Planning Document.
11. No solar panels shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the photovoltaics referred to in the submitted Energy and Sustainability Strategy dated February 2021 have been installed and made operational in accordance with full details that have first been submitted to and been approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and no subsequent alterations to the approved scheme shall take place unless submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of environmental sustainability and to ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues, in accordance with policies ENV6 and IN1 of the Crawley Borough Local Plan 2015-2030.
12. Within three months of the occupation of the development, a post-construction report shall be submitted to and agreed in writing by the Local Planning Authority verifying that the development has achieved the minimum Energy and Water standards for BREEAM 'Excellent'.

REASON: In the interests of sustainable design and construction in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.
13. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in strict accordance with the approved piling method statement.

REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure, which piling has the potential to damage or impact upon and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
14. The development hereby approved shall not be first occupied until details of the maintenance and management of the SuDS system have been set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented and maintained in accordance with the approved details.

REASON: This is a major development and the performance of the SUDS must be future proofed to avoid flooding within the development and subsequent flood and drainage problems off-site in accordance with Policy EN8 of the Crawley Borough Local Plan 2015 - 2030.
15. No part of the development shall be first occupied until such time as the existing vehicular access onto Manor Royal has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.

16. Prior to the first occupation of the development hereby approved, the car, cycle, motorcycle and lorry parking serving the warehouse 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 Supplementary Planning Document.
17. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided and made operational in accordance with plans and details submitted to and approved by the Local Planning Authority.
REASON: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and the relevant provision of the National Planning Policy Framework.
18. All planting, seeding or turfing comprised in the approved landscaping scheme shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
19. Upon the first occupation/commencement of use, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.
REASON: To encourage and promote sustainable transport in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030 and the National Planning Policy Framework.
20. Prior to the first occupation of the warehouse building hereby approved, a verification report demonstrating the completion of the 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 engineering works 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.
21. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, including any future amendments, the proposed building hereby approved shall be used for storage and distribution (B8) use only and for no other purpose 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 levels of parking provision and the appropriateness of other uses within the Manor Royal Main Employment Area can be properly assessed in accordance with policies CH3, EC2 and EC3 of the Crawley Borough Local Plan 2015-2030 and the parking standards within the Urban Design Supplementary Planning Document.

INFORMATIVES

1. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

The permitted hours for noisy construction work in the Borough of Crawley are as follows:
0800 to 1800 Monday to Friday and
0800 to 1300 on Saturday.

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

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

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

2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email: 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.
3. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk (Please refer to the Wholesale; Business customers; Groundwater discharges section).
4. The applicant is advised that this site falls within the area covered by Southern Water plc. For your information, contact details are Southern Water, Southern House, Yeoman Road, Worthing, West Sussex BN13 3NX (Tel: 0845 278 0845).
5. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
6. The applicant is encouraged to engage with Manor Royal BID regarding the ReEnergise Manor Royal Onsite Renewable Energy Project, sustainable travel initiatives and other ongoing initiatives in the area.

1. NPPF Statement

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

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

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

Crawley Borough Council

Minutes of Planning Committee - Tuesday, 31 August 2021

4. Planning Application CR/2021/0174/FUL - Land at Faraday Road & Manor Royal, Northgate, Crawley

Disclosures of Interest

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor P Smith	Planning application CR/2021/0174/FUL – Land at Faraday Road & Manor Royal, Northgate, Crawley	Personal interest – Local Authority Director of the Manor Royal Business Improvement District.

The Committee considered report [PES/374a](#) of the Head of Economy and Planning which proposed as follows:

Proposed demolition of existing buildings and construction of a new warehouse building with ancillary offices, associated service yard, parking, access alterations, infrastructure, landscaping and ancillary works.

Councillors Ali, Burrett, and P Smith declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application which sought permission for the construction of a 7,399sqm warehouse for class B8 use at a site in the Manor Royal Employment Area, currently occupied by a warehouse with a larger floorspace. The Committee was updated that, since the publication of the report, further discussions with the Council's Drainage Officer had led to an amendment to condition 3 as well as an additional condition, which formed condition 22.

Richard Cotton, the applicant (Lakenorth Ltd), spoke in support of the application. Matters raised included:

- The existing warehouse was considered no longer fit for purpose. The proposed development was of a high quality design and the redevelopment would create jobs and contribute to the Manor Royal Employment Area.
- Included in the proposed design were environmentally sustainable and energy-efficient features such as solar PV panels and air source heat pumps.
- The development was policy compliant.

The Committee then considered the application.

The Committee heard that the proposed design was slightly taller and the space more uniform than the existing warehouse, which was disjointed and therefore less fit for purpose. The Officer confirmed that the total floorspace of the proposed building was 7,399sqm.

On receipt of a query regarding the Transport Assessment, the Officer confirmed that the expected reduction in vehicle movements for the proposed development was made in

comparison to the existing warehouse if it were fully occupied and in use – not if it were vacant or partially vacant. The assessment was based on the building's floorspace.

Following discussion regarding parking at the site, it was heard that the overall number of proposed parking spaces met policy standards, and that it was a matter for the future operator to decide on the balance of spaces for cars, vans, and HGVs. The Officer confirmed that the parking arrangements of those vehicles using the building could only be controlled on-site.

The Committee noted that there was a shortfall in the proposed number of replacement trees to be planted. This was however to be addressed, subject to any below-ground services, by planting on the adjacent highway verge and by an off-site contribution to tree planting through the Section 106 agreement. Committee members praised the various sustainability measures included in the design.

RESOLVED

Permit subject to the conclusion of a Section 106 agreement, the conditions set out in report PES/374a and amended condition 3 and additional condition 22 as follows:

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

- the anticipated number, frequency and types of vehicles used during construction;*
- the method of access and routing of vehicles during construction;*
- the parking of vehicles by site operatives and visitors;*
- the loading and unloading of plant, materials and waste;*
- the storage of plant and materials used in construction of the development;*
- the erection and maintenance of security hoarding;*
- the provision of temporary construction and security lighting;*
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);*
- details of public engagement both prior to and during construction works; and*
- details showing how surface water will be drained during the construction phase.*

REASON: In the interests of highway safety and the amenities of the area in accordance with policies CH3, ENV11, ENV12 and IN3 of the Crawley Borough Local Plan 2015-2030.

REASON why pre-commencement condition: as it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.

22. Prior to the occupation of the development hereby permitted, a post construction drainage certification shall be submitted to and approved in writing by the Local Planning Authority. This shall confirm that the works, including the SuDS features, proposed in the Flood Risk Assessment have been constructed as stated. This shall be carried out by a third party.

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.

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 11 January 2022
REPORT NO: PES/378(b)

REFERENCE NO: CR/2021/0247/FUL

LOCATION: [THE OFFICE, CRAWLEY BUSINESS QUARTER, MANOR ROYAL, NORTHGATE, CRAWLEY](#)

WARD: Langley Green & Tushmore

PROPOSAL: DEMOLITION OF EXISTING BUILDING AND ASSOCIATED STRUCTURES AND REDEVELOPMENT FOR STORAGE AND DISTRIBUTION WAREHOUSE WITHIN USE CLASS B8

TARGET DECISION DATE: 6 July 2021

CASE OFFICER: Mrs A. Sanders

APPLICANT'S NAME: RB (GATWICK) LTD

AGENT'S NAME: TDH Esates Limited

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
2529 P411 Rev	A	Site Location Plan
2529 P412 Rev	A	Block Plan - Existing
2529 P406 Rev	P	Proposed Site Plan
2529 P416	A	Block Plan - Proposed
2529 P100 Rev	E	Proposed Floor Plans
2529 P102 Rev	B	Proposed GIAs
2529 P101 Rev	C	Proposed GEAs
2529 P110 Rev	B	Proposed Roof Plan
2529 C200		GA Elevations
2529 P201		Proposed Elevations Amended Cladding Design
2529 P300 Rev	A	Proposed Typical Building Section
2529 P310		Site Sections
2529 P413 Rev	B	Surface Finishes Plan
2529 P414 Rev	B	Boundary Treatments Plan
2529 P415 Rev	B	External Furniture Plan
1610 KC XX Y 01 Rev	0	Tree Constraints Plan
1610 KC XX Y 01 Rev	0	Tree Protection Plan
P417	B	Air Quality Mitigation Measures
LLD2253-LAN-DWG-010 Rev	04	Landscape Strategy Masterplan
6113-CBC-00-00-DR-U-96002	T01	Combined Incoming Utility Layout
Conditions 4	A	Proposed Levels Drawing

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE:-

- 1.1 This application was considered at the meeting of the Planning Committee on 20th July 2021. A copy of the original committee report is attached as Appendix A and the minutes of the meeting are attached as Appendix B at the end of this report.

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- 1.2 Members will recall that it was resolved to grant planning permission for the development subject to the completion of the S106 agreement relating to the Travel Plan monitoring fee of £3,500 and Air Quality Mitigation Measures cost to a value of £47,000.
- 1.3 Since the July meeting discussions have been ongoing in order to clarify the details of the Air Quality Mitigation measures required by the S106 agreement. The matter of Water Neutrality has also arisen which is discussed further within the report. Whilst discussions were ongoing regarding the above, the Agent has used the time to submit information in order to remove the need for any pre-commencement conditions and has provided information to address other conditions which would otherwise have required the submission of further information after the decision was issued. The elevations of the building have also been slightly revised. Accordingly the wording of a number of conditions is recommended to be amended as set out below.
- 1.4 This report addressed the changes to the application since the original committee resolution.

CONSULTEE NOTIFICATIONS & RESPONSES:-

- 2.1 Various relevant consultees and parties were notified on the updated information received and their comments sought:
1. GAL Aerodrome Safeguarding Satisfied with the Bird Hazard Management Plan and agree the condition can be reworded so that it is no longer pre-commencement.
 2. WSCC Highways Satisfied with the Construction, Drainage and Environment Management Plan and agree the condition can be reworded so that it is no longer pre-commencement.
 3. CBC Drainage Officer Satisfied with the Construction, Drainage and Environment Management Plan and agree the condition can be reworded so that it is no longer pre-commencement.
 4. CBC Contaminated Land Officer Satisfied with the submitted Geotechnical Interpretative Report with Supplementary Phase II Assessment and agree the condition can be reworded so that it is no longer pre-commencement.
 5. CBC Air Quality Officer Confirmed that the air quality mitigation measures would be above policy requirements
 6. West Sussex Fire and Rescue Agree with the plan submitted and the number and location of the fire hydrants and agree the condition can be reworded so that it is no longer pre-commencement.

PLANNING CONSIDERATIONS:-

- 3.1 This report considers the specific matters that have arisen since the application was previously discussed by the Committee, namely:
- Air Quality
 - Design and Appearance of the building
 - Water Neutrality
 - Conditions

Air Quality

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- 3.2 The Air Quality officer previously commented that the cumulative impacts of this development, combined with other traffic growth generally within the area, would contribute to a creeping baseline which may lead to exceedances in terms of air quality. To account for this, the applicants have carried out an Emissions Mitigation Assessment to calculate the cost of this damage from increased emissions from this development and appropriate mitigation to offset this harm. The air quality mitigation costs of £47,000 was agreed at the Planning Committee on 20th July 2021. The S106 agreement was subsequently drafted on that basis and, as part of the draft wording, the Agent was required to submit Air Quality Mitigation Measures which would be to this value and to demonstrate that the package of mitigation measures would be over and above existing policy requirements.
- 3.3 The Agent has now submitted a detailed document setting out the Air Quality Mitigation Measures and a plan to accompany details of which are set out below:

Item 1 pedestrian and cyclist improvements

Pedestrian and cycle crossing improvements off site to include one existing informal crossing upgraded to formal zebra crossings with road markings and tactile paving and 2 no existing informal crossings upgraded to formal zebra crossings with belisha beacons, road markings and tactile paving and a dedicated access for cyclists & pedestrian use to the highway network south of the site. Cost £21,000. As the works are to a private road network, they are not a requirement of the highway authority therefore the works are above policy requirements.

Item 2 additional electricity capacity

Additional incoming electrical capacity for future electric vehicle charging and additional LV cabling from the substation to the main LV panel to increase building supply capacity. Cost £12,300. The additional capacity will be required to allow EV charging of delivery vehicles and/or additional car charging above the current policy requirement for 20 vehicles.

Item 3 additional ducting to allow future full EV charging within the car park

Additional ducts to be installed around the car park to facilitate future installation of EV charging to the car park (over and above the EV charging to be provided at day one). The proposed development future proofs the staff car park to allow future installation of full EV charging points to all parking spaces. Cost £10,000.

Item 4 delivery electric charging

Buried ducts for future installation of additional electric vehicle charging points to the HGV yard including excavation and backfilling prior to (but excluding) laying final capping, sub-base & surfacing. Cost £11,400. There is currently no policy requirement or standard for the provision of electric charging for HGVs and delivery vehicles.

Summary

Pedestrian and cycle improvements **£21,000**
Additional EV capacity **£12,300**
Additional ducting to car park **£10,000**
HGV/delivery vehicle charging **£11,400**
Total **£54,700**

- 3.4 The Air Quality Officer was consulted on the document and accompanying plan and confirmed that the proposed measures would be above policy requirements and that the final costs exceed the adverse impact cost calculated for the scheme. The proposed mitigation is therefore considered acceptable for the approval for air quality matters and the S106 agreement will be updated to require these specific measures to be implemented.

Design and Appearance of the building

- 3.5 The proposed building would be commercial in nature, but has been designed so that it is not a typical large 'shed' style building which one would normally associate with such uses. It was previously proposed to use composite cladding in Alaska grey (mid-grey) and a Raven (dark grey), with blue edging and large glazing panels on the entrance of the building. A band of Alaska grey horizontal cladding was proposed around the glazed entrance which was continued around the

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entirety of the building. The remainder of the building was proposed to be Raven grey vertical cladding.

- 3.6 It is now proposed that the top third of the building would have vertical cladding in three different shades of grey that would get progressively lighter from the bottom to the top of the building. The colours would be Merlin grey, Alaska grey and Raven. It is also now proposed that the corners of the buildings would be clad in horizontal Alaska grey cladding. The rest of the elevations would remain as previously agreed.
- 3.7 The proposed amendments to the elevations are considered to be welcome alterations to the building which would provide further detailing and interest, further enhancing the appearance of the unit. As such the proposal as amended would continue integrate well within the site and when viewed from the surrounding area and would accord with development plan policy in this regard.

Water Neutrality

- 3.8 Crawley is situated in an area of serious water stress, as identified by the Environment Agency. The application site is supplied with water by Southern Water from its Sussex North Water Resource Zone (SNWRZ). This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.
- 3.9 On 14 September 2021, the council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the SNWRZ is not having an impact on the Arun Valley sites. It advises that developments within this zone must not add to this impact.
- 3.10 Under the Conservation of Habitats and Species Regulations 2017 (s.63), Crawley Borough Council is the Competent Authority and has a duty to consider the impact of development on protected species and habitats. These Regulations and the Natural England Position Statement require, as a matter of law, applications for planning permission in the SNWRZ to demonstrate that they do not increase pressure on water resources and that they are “water neutral.” As a consequence, all applications that may affect water consumption need to be ‘screened’ to identify whether the proposed development, individually or in combination with other projects, will result in a significant effect on the Arun Valley sites.
- 3.11 This application is not exempt under the Screening process and therefore the applicants are required to submit evidence so that a judgement can be made by CBC as to whether there could be any potential significant impacts of the development on the Arun Valley sites by way of an ‘Appropriate Assessment’. In accordance with the Natural England Position Statement to meet this test the development must demonstrate that it is ‘water neutral’. The definition of water neutrality is the use of water in the supply area before the development being the same or lower after the development is in place.
- 3.12 This application is one where the new use proposed for the site, which is as a Hermes storage and distribution warehouse, was identified as being potentially more efficient or water neutral than that of the previous site use as offices.
- 3.13 The applicants have provided a variety of documents including a “Water Neutrality Statement”, an “Energy and Sustainability Statement”, water usage records, marketing information, existing and proposed floorplans, and developers building specifications. Along with various BREEAM WAT 01 calculator tool outputs and supporting emails. This information has been independently assessed for CBC by a specialist consultant.
- 3.14 The review considered the existing water use of the building based on existing occupancy, consideration of existing building layout, estimated age of building (and associated water fittings) and some evidence of metered consumption. An annual water consumption figure was calculated (and agreed by CBC’s consultants) as 9,913m³ / year for the existing use.

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- 3.15 The proposed water use for the new occupier has also been calculated based on the proposed building layout and water fitting, total occupancy based on the operator's working patterns and BREEAM calculation and other likely ancillary water uses (in this case a vehicle wash system for which details have been provided). Assumptions on water consumption have been made assuming maximum occupancy and 24 hour use of the wash system. Based on these assumptions, the water demand calculation, again as agreed by CBC's consultants, is 9,621m³ / year.
- 3.16 Officers and our consultants have considered the report and agree with the assumptions and conclusions. It is therefore considered that, assuming the development is implemented in accordance with the evidence provided, the development would be 'water neutral'. A condition is therefore recommended to ensure the measures proposed by the applicants are fully implemented.
- 3.17 Based on these findings an Appropriate Assessment document is being prepared by Officers and sent to Natural England for comment (as required under Habitat Regulations). A reasonable time period is required for that consultation.

Conditions

- 3.18 In the intervening period from when this application was last heard at the Planning Committee, the agent has submitted several documents / plans in order to remove the requirement for any pre-commencement conditions and has also provided information to address other conditions which would have required the subsequent submission of further information. The following documents / plans have been submitted:
- Levels Plan
 - Construction Method Statement & Environmental Management Plan
 - Combined Incoming Utilities Layout plan to show location of Fire Hydrants
 - Bird Hazard Management Plan
 - Geotechnical Interpretative Report With Supplementary Phase II Assessment
 - Material samples
- 3.19 As a result of the further information submitted, the relevant consultees were notified namely the Drainage Officer, Contaminated Land Officer, Gatwick Safeguarding, West Sussex Fire and Rescue and the Local Highway Authority. All consultees are satisfied with the further information submitted and agree to the re-wording of the conditions so that they are no longer pre-commencement.
- 3.20 As a result the following conditions have been updated and are shown in full at the end of the report within the recommendation section:
- Condition 2 (plans)
 - Condition 4 (levels)
 - Condition 5 (Construction, Drainage and Environment Management Plan)
 - Condition 18 (Fire Hydrant)
 - Condition 19 (materials)
 - Condition 21 (Bird Hazard Management Plan)
 - Condition 22 (Contaminated Land)

CONCLUSIONS:-

- 4.1 As set out above, since the original resolution to grant planning permission in July 2021, the matter of water neutrality has arisen which has resulted in the agent having to demonstrate that the proposal would be water neutral. It is considered that the applicants have successfully demonstrated that the proposed development achieves water neutrality subject to a condition ensuring the measures contained with the submitted documents are fully implemented. .
- 4.2 In the intervening time period the applicants have also submitted details of the air quality mitigation measures; provided further information to avoid the need for certain pre-commencement conditions and has addressed other conditions which required the submission of further information, all of which are considered to be acceptable. Furthermore, the alterations to the elevations of the building would continue to integrate the building within the site and surrounding area and no objection is raised on this basis.

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- 4.3 It is therefore considered that the proposal is acceptable for the reasons as set out in this report and, subject to the associated conditions which have been amended to reflect the current position, the conclusion of the S106 agreement and conclusion of consultation with Natural England, planning permission should be granted.

RECOMMENDATION RE: CR/2021/0247/FUL

Delegate the decision to **permit** the application to the Head of Economy and Planning, subject to the conclusion of consultation with Natural England, the conclusion of a Section 106 Agreement, and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, including any future amendments, the proposed building hereby approved shall be used for storage and distribution (B8) use only and for no other purpose 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 levels of parking provision and the appropriateness of other uses within the Manor Royal Main Employment Area can be properly assessed in accordance with policies CH3, EC2 and EC3 of the Crawley Borough Local Plan 2015-2030 and the parking standards within the Urban Design Supplementary Planning Document and, taking account of the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, in breach of the Conservation of Species and Habitats Regulations 2017.
4. The land levels and the finished floor levels of the building shall be constructed as shown on drawing GA Elevations No. 2529 C200 and Proposed Levels drawing No. conditions 4 submitted with the application.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. The development hereby permitted shall be carried out in accordance with the Construction Method Statement and Environmental Management Plan submitted with the application.
REASON: In the interests of highway safety, ecology, drainage and the amenities of the area in accordance with Policy IN3 and CH3 of the Crawley Borough Local Plan 2015 - 2030.
6. The development hereby permitted shall be carried out in accordance with the Air Quality Assessment in particular Table 22 - Mitigation of Construction Activities, dated July 2021 submitted with the application which must be implemented during the construction of the development .
REASON: To ensure that the development does not have a negative impact on Air Quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 - 2030.
7. The development hereby permitted shall be carried out in accordance with the Travel Plan ref 2021/5819/TP02 dated July 2021 submitted with the application. Only the approved details shall be implemented.
REASON: To encourage and promote sustainable transport in accordance with Policy IN3 of the Crawley Borough Local Plan 2015 - 2030.
8. Prior to the occupation of the development hereby permitted the car, motor cycle and lorry parking spaces (including the electric vehicle charging spaces) and the turning and manoeuvring areas shall

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be constructed in accordance with the approved plans. These spaces and areas shall thereafter be retained for their designated use.

REASON: To provide adequate on-site car parking and turning space for the development in accordance with Policy IN3 of the Crawley Borough Local Plan 2015 - 2030.

9. Prior to the first occupation of the development hereby permitted, plans and elevations shall be submitted to and approved in writing by the Local Planning Authority for:
 - (i) 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 the development 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.
10. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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 caused by mobilised contaminants in line with Policy ENV10 of the Crawley Borough Local Plan 2015-2030 and paragraph 170 of the National Planning Policy Framework.
11. The development hereby permitted shall be implemented and thereafter maintained and managed in accordance with the Flood Risk Assessment and Drainage Strategy provided by PRK UK Ltd and dated 30 March 2021, including a reduction of 50% of the pre development surface water 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.
12. Prior to the occupation of the development hereby permitted, a post construction certification shall be submitted to and approved in writing by the Local Planning Authority. This shall confirm that the works including the SuDS features proposed in the FRA and Drainage Statement have been constructed as stated. This shall be carried out by a third party.

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.
13. The development hereby permitted shall be carried out in accordance with the Tree Survey and Impact Assessment dated March 2021 ref: 1610-KC-XX-YTREE Rev 0 submitted with the application. The tree protection measures as set out within Section 6 of 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 existing trees are not compromised during the construction of the development in accordance with Policy CH3 and CH6 of the Crawley Borough Local Plan 2015 - 2030. This condition is required pre-commencement as it relates to the site layout and how building will be constructed.
14. The development hereby permitted shall be carried out in accordance with the Landscape Design Strategy dated 01.07.2021 and the Landscape Strategy Masterplan, Drawing No. LLD2252-LAN-DWG-010 Rev 04 submitted with the application. The approved details of the landscaping shall be carried out in the first planting and seeding season following the occupation of the 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 the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. No subsequent alterations to the approved landscaping

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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: In the interests of amenity and of the environment of the development and 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 Policies CH3 and IN1 of the Crawley Borough Local Plan 2015 - 2030.

15. Prior to the first occupation of the development, 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 along with water efficiency and conservation measures. 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 and, taking account of the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, in breach of the Conservation of Species and Habitats Regulations 2017.

16. The recommendations set out in the Ecological Impact Assessment report by Lizard Landscapes dated 11 June 2021 shall be implemented in full unless otherwise agreed 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 policy ENV2 of the Crawley Borough Local Plan 2015 - 2030.

17. Prior to the first occupation of the development, 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 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.

18. Prior to occupation of the development, the proposed four fire hydrants shall be installed in accordance with the Combined Incoming Utilities Layout Plan drawing number 6113-CBC-00-00-DR-U-96002 Rev T01 submitted with the application.

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

19. The building shall be constructed in strict accordance with the materials schedule as shown on the GA Elevations Plan, drawing number 2529 C200 submitted with the application.

REASON: In the interest of visual amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

20. No above ground works shall be carried out 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 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.

21. The Bird Hazard Management Plan dated 23 November 2021 shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to

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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 roof 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.

22. The development hereby permitted shall be carried out in accordance with the Geotechnical Interpretative Report with Supplementary Phase II Assessment dated 09 November 2021 submitted with the application.

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.

23. 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 with Policy ENV10 of Crawley Borough Local Plan 2015-2030 paragraph 170 of the National Planning Policy Framework.

24. No solar panels shall be installed until full details, including a solar hazard glare study if required, have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved scheme are to take place unless agreed in writing by the Local Planning Authority. The scheme shall be implemented as approved.

REASON: In the interest of visual amenity and to ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues in accordance with Policies CH3 and ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD

25. Within six months of the occupation of the development 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.

26. The space and connection point for a future heat plate exchanger and associated future ducting route for a connection to a District Heat Network, identified on submitted drawing 6113-CBC-00-00-DR-U-96002 T01, shall be kept available for this purpose.

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.

27. Prior to first occupation of the building hereby permitted, the water efficiency measures including the physical fittings and vehicle wash system as specified in the Technical Note 22171-WRC-TN-02 Rev C03 prepared by Water Environment (as set out in the accompanying documents listed in paragraph 1.5 and 1.6 of this note) shall be implemented in full.

REASON: Taking account of the Natural England Position Statement on water neutrality received on 14 September 2021 and to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, in breach of the Conservation of Species and Habitats Regulations 2017.

INFORMATIVES:

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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

Please note that as from 31st May 2021 crane operators will in the first instance need to notify the Civil Aviation Authority (CAA) of any cranes in the UK that are over 10m in height or taller than the surrounding trees/structures. Notification should be at least 8 weeks before any crane is due on site. For further details please refer to CAP1096 'Guidance to Crane Operators on Aviation Lighting and Notification' available at www.caa.co.uk

2. Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system.
3. In regard to condition 22 above, the following applies:
 1. A desk-top study carried out by a competent person. The study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. Two full copies of the desk-top study and the non-technical summary shall be submitted to the LPA.
 2. A site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology BS 10175:2011. The site investigation should fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications, including an assessment of risk to any potential receptors. A full report on the findings of the site investigation shall be submitted to the LPA see note above.
 3. A written remediation statement, detailing the works necessary so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including any controlled waters, shall be submitted to the LPA and agreed in writing with the LPA prior to any remediation commencing on site. Two copies of the remediation report shall be submitted to the LPA.
 4. Approved remediation works shall be carried out in full on site, under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the remediation works contamination is encountered that had not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA in accordance with the process laid out at points 1 – 3 above.
 5. Upon completion of the remediation works, this condition shall not be discharged until further validation report has been submitted to, and approved by the LPA. The validation report shall include quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site.
4. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.

5. The applicant is advised of the following advice from Thames Water:

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your

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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-large-site/Planningyour-development/Working-near-or-diverting-our-pipes>.

6. The applicant is advised of the following advice from Southern Water:
 - 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 should be located within 5 metres of a public water main.
 - 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 connection and on-site mains to be made by the developer. A formal application for a connection can be made via Southern Water's online developer services portal at: <https://developerservices.southernwater.co.uk>

7. The applicant is advised that the Crawley Business Quarter is a private road therefore the Local Highway Authority are unable to sign off any works as they do not form part of the adopted highway network maintained or owned by WSCC. For this reason all reference to WSCC should be removed from the Road Safety Audit document.
8. Bird Hazard Management Plan - Natural England Licences
Should any Gulls nests or eggs need to be removed, a CL12 licence needs to be obtained from Natural England beforehand. Please contact bird.licensing@naturalengland.org.uk
Further information with regard to the CL12 licence please see:
Birds: licence to kill or take them for air safety purposes (CL12) - GOV.UK (www.gov.uk)
9. The applicant is advised that in regard to condition 14 the amount of berry/fruit bearing species proposed as part of the soft landscaping scheme does not exceed 40% of the total planting palette and is distributed across the site.

1. NPPF Statement

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

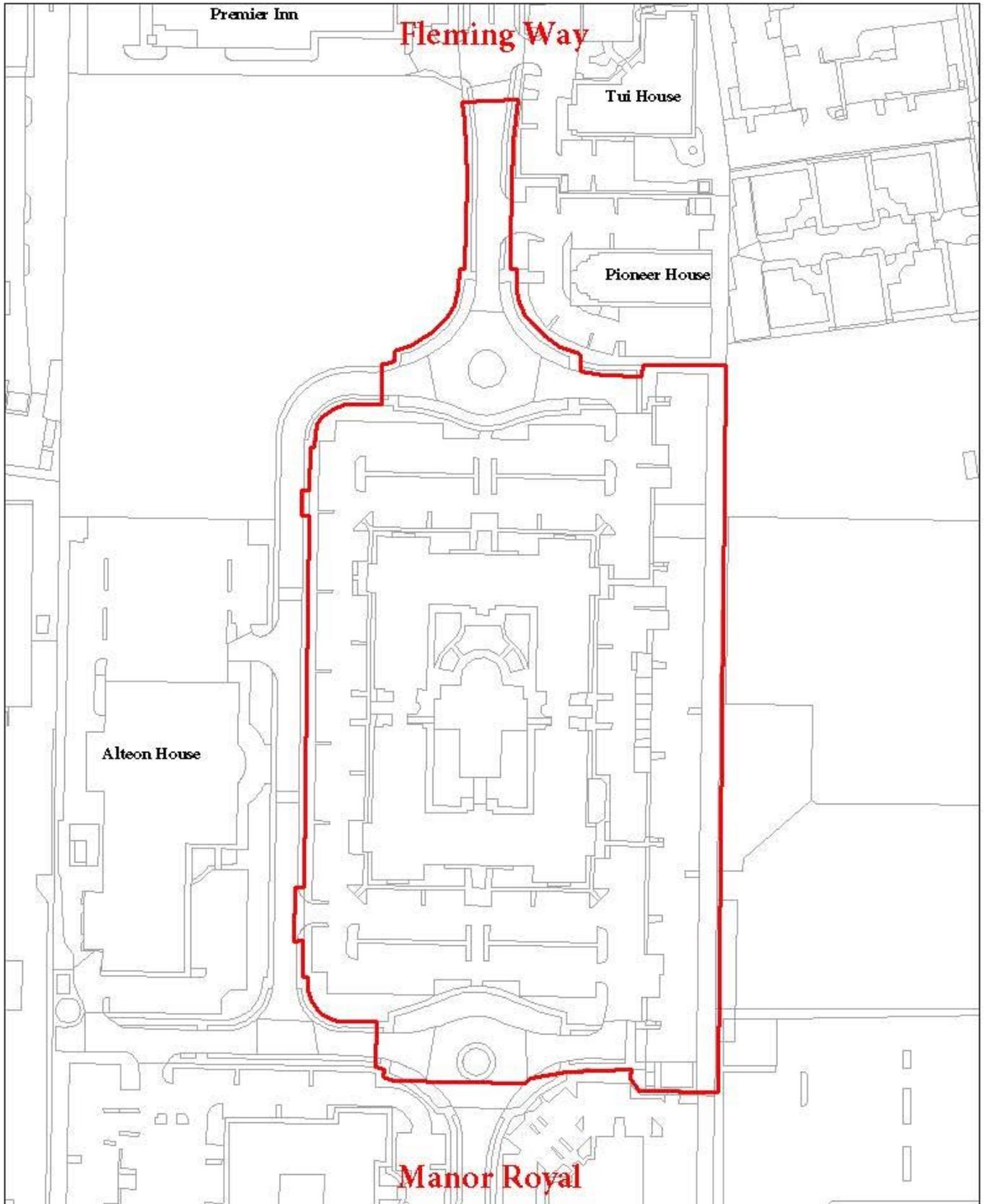
- Liaising with consultees/respondents/applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of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

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

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CR/2021/0247/FUL Proposed Site Plan 4



CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 20 July 2021
REPORT NO: PES/373(c)

REFERENCE NO: CR/2021/0247/FUL

LOCATION: [THE OFFICE, CRAWLEY BUSINESS QUARTER, MANOR ROYAL, NORTHGATE, CRAWLEY](#)
WARD: Langley Green & Tushmore
PROPOSAL: DEMOLITION OF EXISTING BUILDING AND ASSOCIATED STRUCTURES AND REDEVELOPMENT FOR STORAGE AND DISTRIBUTION WAREHOUSE WITHIN USE CLASS B8

TARGET DECISION DATE: 6 July 2021

CASE OFFICER: Mrs A. Sanders

APPLICANT'S NAME: RB (GATWICK) LTD
AGENT'S NAME: TDH Estates Limited

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
2529 P411 Rev	A	Site Location Plan
2529 P412 Rev	A	Block Plan - Existing
2529 P406 Rev	P	Proposed Site Plan
2529 P416	A	Block Plan - Proposed
2529 P100 Rev	E	Proposed Floor Plans
2529 P102 Rev	B	Proposed GIAs
2529 P101 Rev	C	Proposed GEAs
2529 P110 Rev	B	Proposed Roof Plan
2529 PSK04 Rev	G	Proposed Elevations
2529 P300 Rev	A	Proposed Typical Building Section
2529 P310		Site Sections
2529 P413 Rev	B	Surface Finishes Plan
2529 P414 Rev	B	Boundary Treatments Plan
2529 P415 Rev	B	External Furniture Plan
1610 KC XX Y 01 Rev	0	Tree Constraints Plan
1610 KC XX Y 01 Rev	0	Tree Protection Plan
LLD2253-LAN-DWG-010 Rev	04	Landscape Strategy Masterplan

CONSULTEE NOTIFICATIONS & RESPONSES:-

Statutory Consultees

- | | | |
|----|--------------------------------------|------------------------------------|
| 1. | GAL Aerodrome Safeguarding | No objection subject to conditions |
| 2. | WSCC Highways | No objection subject to conditions |
| 3. | National Air Traffic Services (NATS) | No objection |
| 4. | WSCC Lead Local Flood Authority | No objection subject to conditions |

Other Consultees

- | | | |
|-----|-------------------------------------|------------------------------------|
| 5. | Environment Agency | No objection subject to conditions |
| 6. | Thames Water | No objection subject to conditions |
| 7. | Sussex Building Control Partnership | No comments received |
| 8. | CBC Drainage Officer | No objection subject to conditions |
| 9. | CBC Planning Arboricultural Officer | No comments received |
| 10. | CBC Environment Team | No comments received |

11.	CBC Contaminated Land Officer	No objection subject to conditions
12.	CBC Environmental Health Officer – Noise	No objection
13.	Crawley Cycle & Walking Forum	Requested amendments regarding the cycle layout, access and increase in the number of spaces
14.	Southern Water Ltd	No objection subject to conditions
15.	CBC Energy Efficiency & Sustainability	No objection subject to conditions
16.	Archaeology Officer	No objection
17.	Ecology Officer	No objection subject to conditions
18.	CBC Manor Royal	No objection
19.	CBC Air Quality Officer	No objection subject to conditions
20.	CBC Economic Development	No objection subject to condition
21.	Manor Royal Business District	No objection
22.	The Gatwick Diamond Initiative	No comments received

NEIGHBOUR NOTIFICATIONS:-

The application has been advertised through a press advert and by two site notices that were displayed at the site on 28th April 2021 with an expiry date of 20th May 2021.

RESPONSES RECEIVED:-

None

REASON FOR REPORTING TO COMMITTEE:-

The application is a major development.

THE APPLICATION SITE:-

- 1.1 The application site is located within Crawley Business Quarter which is within the larger Manor Royal area. The estate roads are privately maintained, with the public highway located further to the north at Fleming Way and to the south at Manor Royal. There are roundabouts to the immediate north and south of the site from which the site is accessed, plus there are two access points along the western boundary.
- 1.2 The site is broadly rectangular in shape and extends 2.55 ha with the long axis running north to south. The site contains The Office, a 5 storey office building comprising approximately 13,800 sqm. The building was last occupied by Virgin Atlantic. The building has a series of gables, projecting stairwells and entrance features principally in brick with a tiled roof. The building sits centrally within the plot with surface level car parking to the north, west and south. The eastern part of the site contains a decked car park, in concrete, over 2 levels. The car park is broken up by low hedges and some trees, with further landscaping along the northern, western and southern boundary. There is a central courtyard with a staff amenity facility and landscaping.
- 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.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposal is for the demolition of the existing building and the redevelopment of the site with a storage and distribution warehouse within use class B8 to be operated by Hermes. The proposed building would measure approximately 7,100sqm at ground floor with an office mezzanine of approximately 660sqm giving a total area of approximately 7800sqm. The building would be positioned at a mid-point north to south but set against the eastern boundary with staff car parking to the south and lorry parking and manoeuvring areas to the north and west. The existing accesses to the north and the south would be retained whereas the two accesses to the west would be removed. The existing boundary landscaping to the north, west and south would be largely retained with further enhancements.
- 2.2 The building would be a warehouse style with a mixture of contemporary horizontal flat panel cladding, vertical profiled cladding, feature flashings, trim colours and glazing with a flat roof. The building would have a mixture of dark grey, light grey and blue cladding. The building would measure a maximum width of 61.5m, a length of 116m and a maximum height of 16.15m. It is proposed that 95 car parking spaces would be provided to the south of the site for staff members. Of which, 19 would be electrical charging spaces, 6 disabled spaces and 9 car sharing spaces. 24 cycle parking spaces would also be located to the south. 48 HGV/LGV spaces are proposed to the west and the north east of the site and 22 docking stations are proposed to the north and west elevations of the building. These spaces would be accessed from the north. The site would be enclosed by 2.4m green paladin (mesh) fencing which would be located behind the existing landscaping buffer.
- 2.3 Hermes currently occupy a unit at Woolborough Lane in Crawley from which they would vacate and they propose to relocate to this site to expand their operations. They have advised that their existing site is no longer fit for their needs, being too small and with limited yard space and a building of around 4,000 sqm. The proposed facility would allow for increasing delivery demands, with an increase from around 90,000 parcels per day to 180,000 parcels per day. Around 158 jobs would be retained with an additional 67 jobs created.
- 2.4 The following documents have been submitted in support of the application:
- Design and Access Statement
 - Planning Statement
 - Transport Assessment
 - Economic Statement
 - Air Quality Assessment
 - Energy and Sustainability Statement
 - Statutory Services Report
 - Tree Survey and Impact Assessment
 - Flood Risk Assessment and Drainage Strategy
 - Contaminated Land Risk Assessment
 - Ecology Appraisal
 - Dust Management Plan
 - Archaeology Desk Based Assessment
 - Landscape Strategy

PLANNING HISTORY:-

- 3.1 CR/2021/0160/DEM - PRIOR NOTIFICATION FOR PROPOSED DEMOLITION
Prior Approval Approved

PLANNING POLICY:-

- 4.1 National Planning Policy Framework

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. In achieving this the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.

- 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’ emphasises the need for the planning system to help create conditions where businesses can invest, expand and adapt in order to support the need for economic growth and productivity. 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.
- Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change. In addition to supporting the increased use of renewable and low carbon energy and reducing greenhouse gas emissions, including complying with local sustainability requirements, flood risk should not be increased elsewhere and sustainable drainage systems should be incorporated in major developments.
- Section 15 – Conserving and enhancing the natural environment. Planning policies and decisions should contribute to and enhance the natural and local environment, including protecting and enhancing valued landscapes and biodiversity, and recognising the intrinsic character and beauty of the countryside. Development should also not add to or be at risk from pollution.

4.2 The Crawley Borough Local Plan 2015 - 2030

Policy SD1 (Presumption in Favour of Sustainable Development) The Council will take a positive approach, in line with the planned approach to Crawley new town, to approving development which is sustainable and work proactively with applicants, stakeholders and other partners to find solutions. Development will be supported where it meets strategic objectives including becoming carbon neutral and addressing climate change; complementing the town’s compact character and neighbourhood principles; respecting heritage; protecting and enhancing Green Infrastructure; creating a safe environment; providing for social and economic needs; and according with the Plan’s policies and objectives.

Policy CH2 (Principles of Good Urban Design) Proposals must support locally distinctive development patterns, landscape character and heritage; create defined frontages and public/private areas; create safe and attractive routes for all; connect places for people and integrate land use and transport; provide recognisable routes and landmarks; consider flexible development which responds to changing needs; provide diversity and choice to create viable places and meet local needs.

Policy CH3 (Normal Requirements of all New Development) Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future

occupants and not cause harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by Design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and, where any are lost, replacement tree planting should accord with the standards set out in policy CH6.

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.

Policy CH6 (Tree Planting and Replacement Standards) Sets out that where development would result in the loss of trees, these should be identified and replaced to mitigate the visual impact from the loss of canopies. The requirement for replacement trees is based on the size of the trees to be lost and this is expected to take place on site or be subject to commuted payments for planting elsewhere. The Manor Royal Design Guide sets out tree planting requirements for that area.

Policy CH8 (Important Views) states that the Important Views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The points from which the view can be enjoyed must remain unobstructed by development in the foreground. Where the view is to an identified feature, development is required to protect and/or enhance this feature.

Policy EC1 (Sustainable Economic Growth) - This policy supports Crawley's role as the key economic driver for the Gatwick Diamond area and supports business growth. The policy seeks to ensure that Crawley's recognised economic role and function is maintained and enhanced through building upon and protecting the established role of Manor Royal as the key Business (B1), General Industry (B2) and Storage and Distribution (B8) location for Crawley and ensuring that it is the focus for sustainable economic growth. The policy sets out the need for approximately 23 hectares of employment land over the plan period.

Policy EC2 (Economic Growth in Main Employment Areas) 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 and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.

Policy ENV1 (Green Infrastructure) 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 will be expected to incorporate biodiversity features where appropriate and enhance existing features of nature conservation value around the development.

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.

Policy ENV7 (District Energy Networks) Major developments within a Priority Area for District Heat Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area.

Policy ENV8 (Development and Flood Risk) 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) Non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.

Policy ENV10 (Pollution Management and Land Contamination) ensures that new development does not increase levels of pollution or hazards and is appropriate to its location. Where a site may be at risk from contaminants or hazardous materials, information must be provided on how the risk will be addressed and pollution treated or removed.

Policy ENV11 (Development and Noise) states that 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) states that proposals that do not have a negative impact on air quality will normally be permitted.

Policy IN1 (Infrastructure Provision) Development must be supported by necessary on and off site infrastructure, including mitigation where needed, to avoid harmful impact upon existing infrastructure.

Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires proposals to be connected to high quality communications infrastructure.

Policy IN3 (Development and Requirements for Sustainable Transport) Development should be focussed to achieve sustainable transport through use of public transport, walking and cycling. Development should meet the access needs generated and not have unacceptable impact on congestion or highway safety. Proposals should be supported by a Transport Statement/Assessment.

Policy IN4 (Car and Cycle Parking Standards) Proposals should provide the appropriate car and cycle parking required by supplementary guidance.

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

The Local Plan Review Submission Consultation draft 2021-2037 has been published for Regulation 19 consultation on 6 January 2021, 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 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 EC6: High Quality Office Provision
- Policy GI 1: Green Infrastructure
- Policy GI 3: 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 EP6: External Lighting
- Policy ST1: Development and Requirements for Sustainable Transport.
- Policy ST2: Car and Cycle Parking Standards.

4.4 Planning and Climate Change SPD – Adopted October 2016

This provides further guidance on addressing the sustainability policies within the Local Plan, with examples of best practice and how to demonstrate compliance with the policies.

4.5 Green Infrastructure SPD – Adopted October 2016

This SPD provides further guidance on new and replacement tree planting, protection of existing trees, biodiversity and wider landscaping issues.

4.6 Urban Design SPD – Adopted October 2016

This document provides further advice on the principles of good urban design in the Crawley context, highlighting in particular the importance of massing and materials, public realm, street design and parking and sustainable design.

In respect of non-residential development, para 3.62 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”.

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.

Annex 1 of the SPD contains the Borough’s indicative minimum parking standards. For sites in Manor Royal the following standards apply for warehousing (B8):

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.

4.7 Manor Royal Design Guide SPD and Public Realm Strategy – Adopted July 2013

This document aims to support economic growth in Manor Royal, providing guidance to ensure that new development makes a significant contribution to the uplift of the area and secures delivery of high quality development which supports the key business function. It requires all development to demonstrate the following:

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

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. A key approach to delivering these improvements is achieving robust and consistent frontages 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.

The Crawley Business Quarter is identified as 'other minor roads' which states that all developments should demonstrate the following:

- Enhance the visual experience of the local road network
- Create a more legible relationship between roads and pavements, benefiting vehicle users and pedestrians
- Create seasonal interest through landscaping that also improves the clarity in the hierarchy of the road network.

The site is identified as being within the Core Business Zone Character Area A. Key considerations that proposed development in such locations should seek to address are to:

- Maintain the spacious setting of buildings;
- Build on the positive impact of high quality public realm and development through promoting high quality buildings that also improve the private realm;
- Provide active frontages, high quality materials, and planting of high aesthetic quality and durability; and
- Given the spacious and prominent nature of the area, explore the potential for taller buildings with due regard to the safeguarding requirements of Gatwick Airport.

4.8 Developer Contributions Guidance Note (published July 2016)

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. The document also sets out the Manor Royal contribution requirement towards the public realm in this area which is at a cost of £2 per sqm of new floorspace.

PLANNING CONSIDERATIONS:-

5.1 The main planning considerations are as follows:

- Principle of the development
- The design and appearance of proposal and impact on the street scene and wider area
- The impact on nearby occupiers/neighbours
- The impact on the highway, parking and the operational requirements of the site
- Landscaping, Trees and Ecology
- Sustainability
- Air Quality & Noise
- Flood Risk and Drainage
- Contaminated Land

- Developer contributions
- Gatwick Airport safeguarding

Principle of the development

- 5.2 Local Plan Policy EC1 set outs that the overarching policy objective is to ensure that Crawley's economic role and function is maintained and enhanced, retaining and maximising the available supply of employment land in order to support economic growth and enable existing and new businesses to grow and prosper. The policy identifies a requirement for an additional 57.9ha business land in Crawley over the Plan period to 2030. As a result of Crawley's constrained land supply position, it identifies an available business land supply pipeline of only 23ha, and therefore a business land supply shortfall of 35ha over the Plan period to 2030. Since Local Plan adoption, available business land has continued to reduce as sites are built out, and the land supply pipeline is currently 17.56ha, as per the Employment Land Trajectory (Base Date 1 September 2020).
- 5.3 The scarcity of available employment land within the Borough and subsequent business land supply deficit place particular weight on the need to build upon and protect the role of the designated Main Employment Areas (MEAs). Local Plan Policy EC2 recognises the significant contribution made by the MEAs to the economy of Crawley and the wider economic sub region, identifying these locations as the focus for sustainable economic growth, and seeking to protect and enhance their employment function. Where proposals would result in a loss of employment floorspace, the specific policy criteria must each be met.
- 5.4 This application would result in a net loss of employment floorspace, due to the proposed demolition of the existing 13,754sqm office building and its replacement with approximately 7800sqm of B8 warehouse unit. The current scheme would represent a substantial loss of floorspace compared to the marginal amount suggested at pre-application discussions. As required, the applicant has submitted information to provide context against the loss of employment floorspace criteria in Policy EC2. These are discussed below.

i. the site is no longer suitable, viable or appropriate for employment purposes;

The applicant has acknowledged that the proposed development would result in a net loss of employment floorspace, though is of the view that any floorspace reduction should be considered within the context of what is a significant need for B8 warehouse units and the retention of the site for business use. The applicant also sets out its view that a net loss of floor space is inevitable where a multi storey office building is being replaced by a B8 warehouse use.

In this regard, it is recognised that there is a significant need for new Class B8 land and floorspace in Crawley, with the Crawley Focussed Economic Growth Assessment (2020) identifying need for at least 32.8ha new industrial (B1c/B2/B8) employment land. The applicant's office market report advises that the existing office floorspace is largely vacant, and having been subject to partial refurbishment and marketing, has attracted only limited interest. This reflects the council's own evidence base, with the Manor Royal Economic Impact Study 2018 finding that refurbished office accommodation, even where this is providing a good quality of accommodation, can also be met with limited market demand as a result of out-dated building configurations and large floor plates that do not meet current business needs. The Northern West Sussex EGA 2020 also discusses the current challenging office market conditions, whereby the available supply is largely composed of older Grade B stock that does not match the market demand for new Grade A stock.

The NPPF para 81(d) requires planning policies to enable a rapid response to changes in economic circumstances, and in this regard it is considered that the accommodation in the existing office building does not meet current business demands, and that the refurbishment of the building for office use (irrespective of viability) would not necessarily remedy this situation given market conditions. The application, whilst resulting in (for operational reasons) an overall loss of employment floorspace, would retain the site in business focussed employment use, bringing what is a currently under-utilised site into active employment use, and would help to meet an identified need for B8 warehouse floorspace.

ii. the loss of any floorspace will result in a wider social, environmental or economic benefit to the town;

It is recognised that redevelopment of this site would enable Hermes to relocate from its existing Woolborough Lane site to a larger premises, enabling expansion of the business and creation of an estimated 67 additional full time jobs. NPPF para 82 requires planning decisions to address the 'specific locational requirements of different sectors...making provision for...storage and distribution operations at a variety of scales'. As such, there would be clear economic benefits from this proposal. There would also appear scope for the development to deliver wider social and environmental benefits through appropriate design and landscaping and sustainability measures.

iii. **there is no adverse impact on the economic role or function of the Main Employment Area, and wider economic function of Crawley.**

As discussed at (i) above, the existing office building is largely vacant, and given the nature of the office market, even refurbishment to Grade A status may still face challenges in securing occupiers. Given that the development would retain the site in employment use and would contribute to accommodating the need for warehouse units, although providing a reduced amount of floorspace, it is not considered that the partial loss of employment floorspace would undermine the function of Manor Royal as an MEA, nor the wider economic function of Crawley.

- 5.5 Having regard to the above, the proposed development, although resulting in a significant loss of employment floorspace, would retain the site in business focussed employment use, helping to meet what is a significant B8 floorspace need for Crawley. It would also support the expansion of an existing Manor Royal business and create new job opportunities. It is therefore considered that, on balance, the criteria of Policy EC2 are met.
- 5.6 Local Plan Policy EC3 focuses specifically on Manor Royal, supporting the delivery of business uses in this location, 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. The policy requires development to contribute positively to the overall setting and environment of the main employment area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document. In proposing B class employment development in Manor Royal, and encouraging the re-use of this largely vacant site, the application is consistent with Policy EC3. Given the net loss of employment floorspace, a Manor Royal Contribution would not be charged in this instance.
- 5.7 In conclusion this application would deliver business focussed employment use within Manor Royal, and is in principle supported. The key issue centres on the loss of what is a significant amount of employment floorspace arising from the replacement of the existing office building in favour of a new B8 storage and distribution warehouse. Given the challenges faced by the office market, the need to respond to changing economic circumstances, and that redevelopment of the site would help meet an identified need for warehouse units in Crawley, it is considered that the proposed reduction in employment floorspace at the site is in this instance justified. More broadly, the application would deliver wider economic benefits, bringing a largely vacant site into beneficial employment use, supporting the retention and expansion of an existing employer, and delivering new jobs. Therefore, it is considered that on balance, the loss of office floorspace is justified given the wider economic benefits that would be delivered through the proposed B8 scheme.

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

- 5.8 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, given its location.
- 5.9 The site is located centrally within the Crawley Business Quarter. The Manor Royal Design Guide identifies this area as being within the Core Business Zone Character Area A. The key considerations are that the proposed development in such locations should seek to address are to:
- Maintain the spacious setting of buildings;

- Build on the positive impact of high quality public realm and development through promoting high quality buildings that also improve the private realm;
 - Provide active frontages, high quality materials, and planting of high aesthetic quality and durability; and
 - Given the spacious and prominent nature of the area, explore the potential for taller buildings with due regard to the safeguarding requirements of Gatwick Airport.
- 5.10 The proposed building would be offset to the east of the site with hardstanding and parking to the north, south and west. The building would measure 61.5m in width, 116m in length and 16.1m in height. The entrance to the south would lead to a parking area for cars, cycles and motorcycles. To the north would be the entrance / exit to the site for lorries and vans as well as a lorry / van parking area. The central section would form the operational area of the site and would include loading bays and lorry parking spaces. The yard and northern parking area of the site would be enclosed with 2.4m paladin fencing. Landscaping is proposed on the north, south and western boundaries and would also separate the southern parking area from the central yard area.
- 5.11 The proposed building would be commercial in nature however it has been designed so that it is not a typical large 'shed' style building which one would normally associate with such uses. It is proposed to use composite cladding in varying shades of grey, and blue with large glazing panels on the entrance of the building. The cladding would be laid both vertically and horizontally to provide depth and texture creating a building of high quality. The careful use of materials with varying colours and patterns would provide relief and punctuation which would help to break up the mass of the built form.
- 5.12 The landscaping buffer on the road frontages (discussed in more detail in paras 5.29 – 5.37) would also integrate the building within the surrounding locality. Whilst the site is visible in the surrounding area due to its position in relation to the road network, the main views would be from the north and south as one approaches the site. In this respect the landscaping is important to soften the impact of the built form. The building would be lower than the existing structure on the site and lower than those surrounding it and would be similar in character to the BOC buildings to the immediate east. Overall, it is considered that the site can comfortably accommodate a building of this scale, particularly given the scale of the existing building.
- 5.13 In regard to the possible impact in terms of long distance views from Target Hill, the proposed development would be significantly smaller than the building that it would be replacing therefore the proposal would have less of an impact than the current situation. As such the proposal would not adversely impact on the long distance views.
- 5.14 Overall, it is considered that overall the design and layout of the building is appropriate within the context of the main employment area. Whilst it is a large, relatively plain building, this reflects its function and purpose and the design has been improved on the north and south elevations to provide more interest. It is considered the development would create a high quality public realm with the landscaping proposals. As such the proposal would accord with the relevant policies within the Crawley Borough Local Plan and the Manor Royal SPD.

The impact on nearby occupiers/neighbours

- 5.15 The nearest occupiers to the proposed development are those to the east of the site, within the 'BOC' development which comprises of two warehouse buildings adjacent to the eastern boundary of the application site. A small path is proposed to be retained on this eastern boundary of the application site for maintenance/access. It is considered that given that the proposed use would be a warehouse building which would be compatible to the adjacent warehouse use to the east, the proposal would not result in an adverse impact on these adjacent commercial buildings.
- 5.16 Given that 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. As such the proposal would accord with development plan policy in this regard.

The impact on users of the highway, parking and the operational requirements of the site

- 5.17 The site is currently occupied by a 13,710sqm office building which has historically been home to Virgin Atlantic. The development proposals consist of the redevelopment of the site to provide a 7,800sqm (approx) parcel distribution warehouse within the B8 use class for use by Hermes. The development proposals would include parking on site for employees as well as HGV parking and HGV loading bays.
- 5.18 The site currently has 4 points of access onto the private access road known as Crawley Business Quarter. The site is primarily accessed via two roundabouts to the north and south of the site, there are additionally two secondary accesses located on the western edge of the site which are used to access the existing car park areas.
- 5.19 A series of changes are proposed to the access arrangements at the site to suit the proposed B8 use and the passage of HGVs into and out of the site. The main changes to the northern access would be to create an in and out configuration which would only be used for HGVs and LGVs to access the service yard. It is anticipated that HGVs would approach and leave the site via Fleming Way. It is also proposed that the existing informal pedestrian crossings will be upgraded to be formal zebra crossings. In regard to the southern access, the existing access would be retained and would be used for the staff car park and the office element of the proposal. These vehicles would enter and exit from this access point. The cycle parking would be accessed from the south, originally the cycle parking was located adjacent to the building but it has been relocated so that it is adjacent to the zebra crossing at the front of the site. This makes the spaces more accessible for cyclists with easy access to the building. In addition to above, the two existing secondary accesses on the western boundary of the site will be closed and the footway reinstated.
- 5.20 The site will in effect be divided into two parts with the staff parking contained to the south of the site and with the yard area and lorry / van park to the north. Landscaping is proposed to separate the two areas.
- 5.21 In regard to the required parking arrangements proposed with this application, this is set out in the table below

Cars (1 space per 100sqm) Disabled(a minimum of one space or 5% of total parking provision)		Lorries (and vans) (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	Standards	Provision
78 (including 5 disabled)	95 (including 6 disabled)	16	48 (spaces) 22 (docking bays)	24	24	11	12

- 5.22 The 95 car parking spaces would be laid out within a car park to the south of the site. Of the 95 spaces, 20 would be electric vehicle charging spaces, 6 would be disabled bays and 9 would be car sharing spaces. 11 motorbike spaces would be located to the far south of the car park and 24 cycle spaces adjacent to the access and egress to the site. The 48 HGV/LGV parking would be located along the western and north eastern boundary of the site within the yard area which is separated from the car park by fencing and a hedge. The 22 docking spaces would be located on the north and west elevations of the building in front of the service doors.
- 5.23 Comparing the proposed provision to the required, the car and HGV parking is higher than the standards require, however the provision has been based on the operational needs of the user. The applicant advises that Hermes are not only relocating but also expanding throughput and employment numbers considerably. They have confirmed their intention to increase from about 158 jobs to about 225 jobs. The unit would operate 24 hours a day, with 3 shifts. At shift turnover during peak periods, up to around 2/3 of these staff may need to be on site, i.e. up to about 150. Their estimate is that this will require a higher number of spaces than the current minimum standard. While it is to be expected that the travel plan and accessibility improvements will reduce overall parking demand, the effectiveness of this will likely be limited when shifts cross over at night time.

- 5.24 The Local Highway Authority (LHA) were consulted on the application and advise that whilst the proposal would be offering more spaces than the proposed standards, this need for the additional spaces is based on operational need of Hermes. The LHA do not raise concern in this regard but advise that sustainable travel where possible must still be encouraged through the Travel Plan.
- 5.25 The accessible car parking spaces are provided to standard at 5% total provision and in addition, the applicants have considered the guidance in paragraph 110 of the NPPF, the WSCC 2019 guidance on 'Parking and New Development' and emerging local plan and provided EV charging parking spaces within the layout for 20% of the car parking spaces providing 20 spaces. These measures are considered a positive addition to future proof the development and encourage more sustainable forms of private vehicle travel.
- 5.26 In terms of the net traffic impact, the LHA advise that the proposed use would greatly decrease the number of trips on the highway network at peak times. However, it would increase the amount of operational HGV traffic to and from the site in the peak hours and across the whole day. Whilst there would be an increase in HGV trips during the peak periods the LHA do not consider that it would be at a level where further highway junction assessment modelling would be required.
- 5.27 The LHA requested further information regarding the proposed traffic distribution for the site which the applicant has provided. The LHA advise that given that the proposed development is intended to replace the existing Hermes depot, and also considering the previous use of the site with its associated trips it is not expected that there would be a significant impact on the local junctions that would affect capacity or safety and therefore they do not raise objection to the proposal. Conditions are requested regarding the submission of a construction management plan, cycle parking details, for the travel plan to be approved and for the vehicle parking and turning area to be implemented prior to occupation. Furthermore, the LHA require a contribution of £3500 for Travel Plan monitoring which would be secured by a S106.
- 5.28 In conclusion, the proposed number of cycle spaces and motorbike parking spaces would comply with the parking standards. Whilst there is a considerable overprovision of car parking spaces and HGV/LGV spaces, this is as a result of the specific needs of the end user and would be acceptable in this instance. The parking layout would be acceptable with the car park / cycle / motorbike spaces separated from the main yard area and the HGV/LGV spaces and loading bays. Therefore, subject to the above suggested conditions, it is considered that the proposal would not result in an adverse impact in regard to highway capacity or safety and as such would accord with development plan policies in this regard.

Landscaping, Trees and Ecology

- 5.29 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. 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.
- 5.30 This site is designated within The Manor Royal Urban Design Guide as 'other minor roads' which states that areas beyond the Secondary and Primary roads are less prominent but are also important in defining the look, feel and experience of the Business District. Consistent general design guidance and provision of a landscaping buffer can improve public areas across the highway network and ensure there is quality interaction between private plots and the public realm. The SPD goes on to say that all developments on minor roads should demonstrate how they address the following:
- Enhance the visual experience of the local road network.
 - Create a more legible relationship between roads and pavements, benefiting vehicle users and pedestrians
 - Create seasonal interest through landscaping that also improves the clarity in the hierarchy of the road network

Whilst most of the existing soft landscaped areas are within private ownership, by considering the use of verges and making better use of space within the private realm, there is scope for areas of wildflower, groundcover and tree planting.

- 5.31 The application was supported by a Landscape Masterplan Strategy, An Arboricultural Impact Assessment and Method Statement, including a Tree Protection Plan and an Ecological Assessment. It is proposed to remove 50 individual / pairs of trees and 5 groups of trees. The trees to be removed vary from category C to U class trees with the exception of the following category B trees; a pair of paperback Birch trees (T11), a pair of Ash Trees (T18), a group of Ash trees (T30) and an Alder (T32). None of the trees are protected and they are not significant in terms of their size or age. Further the Ash trees are showing sign of ash die back. Policy CH6 requires 77 replacement trees to be planted, and 138 new trees are proposed.
- 5.32 Given the operational needs of the site, it is not proposed that there would be any planting within the main yard area of the site. The planting would be kept to the boundaries and within the staff parking area to the south. The existing landscaping buffer on the northern boundary is a maximum of 10.6m in length and on the west is 8m. The southern boundary is more informal and varies in depth. These boundaries are proposed to be strengthened by planting a mixture of 58 extra heavy standard trees and 80 standard trees. These would be native species of 14-16cm girth and 8-10 cm girth. Ornamental tree planting (4-4.5cm girth), shrubs and a native mixed species hedgerow. To the south of the site a native hedge is proposed on the boundary of the staff car park, tree planting is proposed within the parking area to break up the hardstanding and ornamental planting and native wildflower grassed areas are also proposed. To the east, there is little opportunity for planting given the location of the building with the boundary however this boundary is the least visible from the surrounding area and would be acceptable in this instance.
- 5.33 The proposed planting has been balanced against the operational requirements of the site. The landscaping has been improved on the boundaries of the site which would help to soften the appearance of the site when viewed from the surrounding area and the hardstanding to the south has been broken up by further planting. The proposed replacement planting of 138 trees coupled with the retention of the majority of the existing trees on the boundaries is such that the proposed landscaping and planting strategy would be acceptable subject to conditions requiring the protection of the retained trees during construction. Further the proposal would provide in excess of the number of replacement trees under Policy CH6 (77 required and 138 proposed).
- 5.34 In regard to the ecological impacts of the site, an ecological assessment and bat survey were submitted with the application which stated that the majority of the application site is of no intrinsic ecological value, comprising areas of built form and hardstanding. The small areas of amenity grassland and ornamental planting are considered to be of negligible ecological value given their small extent and limited species range. The report suggests that no specific mitigation would be required for the loss of these habitats.
- 5.35 A key component of the landscaping proposals will include for the extensive buffering of the western, northern and southern boundaries to 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. The ecological enhancements would include the use of flowering plants to encourage invertebrates, bat-friendly planting to increase foraging, native species-rich hedgerows on the site boundaries and within the car park to the south, green walls to the building by training climbing plants to grow up the building and the installation of bird and bat boxes.
- 5.36 The Ecologist was consulted on the proposal and advises that the report suggests that the proposals would provide for a net gain in biodiversity. However he does not consider that there would be any significant gain but he accepts that the modest amount of new habitat is capable of offsetting the loss of a modest amount of existing habitat, once matured which should be weighed against the local plan policy for net gain. He is satisfied with the results of the bat surveys and that no bats were present. A condition is suggested that the development is carried out in accordance with the recommendations set out within the Ecological Impact Assessment and subject to this, the proposal would be acceptable in this regard.

- 5.37 Policy ENV2 states that developments should incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features of nature conservation. Given that the proposed re-planting far exceeds that which would be removed, coupled with the proposed ecological enhancements, it is considered that the removal of a number of trees would be acceptable in this instance. The proposal would therefore comply with the relevant Local Plan Policies and the Manor Royal SPD.

Sustainability

- 5.38 Policy ENV6 (Sustainable Design and Construction) states that 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. Policy ENV7 (District Energy Networks) states that major developments within a Priority Area for District Heat Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area. Policy ENV9 (Tackling Water Stress) states that non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- 5.39 The proposal is supported by an Energy and Sustainability Statement, including a BREEAM Pre-Assessment Document as an Appendix. The Energy and Sustainability Statement refers to the current adopted policies, and responds in the following terms:
- Building fabric is similar to the 'notional' Building Regulations compliant specification;
 - Some improvements to energy efficiency of building services in relation to Building Regulations 'notional' requirements, e.g. more energy efficient lighting;
 - Air Source Heat Pumps and mechanical ventilation with heat recovery are identified as the most appropriate technology for providing heating, cooling and ventilation to the office areas;
 - Solar PV is also proposed for the roof area (as shown on the roof plans)
 - In terms of EV charging infrastructure the proposal includes 'active charging points for up to 20 vehicles' and buried ducts 'to be provided to the remaining car parking spaces, for future installation of electric charging points'.
 - In respect of policy ENV7 and District Energy Networks, the Statement identifies that there is no network currently in the vicinity. It continues: *The development has been designed to include a valved connection point for future connection to a district heat network via a plate heat exchanger, and future pipework routes have been considered. However, it is deemed that air source heat pumps offer an optimal low carbon solution to heating and cooling the office spaces and will offer further savings as the electricity grid continues to decarbonise.*
- 5.40 The proposed Strategy would achieve a reduction of 59% in energy consumption and 45% in CO2 emissions compared with baseline Building Regulations requirements. Allowing for 'unregulated' energy consumption (i.e. energy consuming equipment not covered by building regulations) these would fall to 31% and 20% respectively.
- 5.41 The Energy and Sustainability Officer advises that the strategy is considered acceptable. The report states that the future user would be responsible for connecting to the district network and that the proposed heat pump would be the heat source in the first instance. The plans show that an area would be safeguarded within the proposed building to allow for connection in the future and a condition is recommended to secure this. The BREEAM pre-assessment confirms that a level of performance which meets the ENV6 and ENV9 requirements is being targeted which can be secured via a condition. Conditions are also suggested in regard to the details of the solar PV array and electrical vehicle charging spaces.

Air Quality & Noise

- 5.42 The proposal is accompanied by an Air Quality Assessment that has considered the air quality impacts during the construction (dust and vehicle emissions) and the buildings' subsequent operational phases (traffic impacts on the local road network).

- 5.43 The Council's Air Quality officer comments that during the construction phase, dust emissions can be adequately managed by adopting appropriate mitigation measures. This can be covered in the Construction Management Plan condition. The Air Quality officer also notes that the cumulative impacts of this development combined with other traffic growth generally within the area may contribute to a creeping baseline which may lead to exceedances and to account for this the applicants also carried out an Emissions Mitigation Assessment to calculate the cost of this damage from increased emissions from this development and appropriate mitigation to offset this damage.
- 5.44 The total cost was calculated at £127,164. This relates to the value of mitigation that should be applied to offset these adverse effects. It is recommended that these measures are secured by a s106 legal agreement in order to address these air quality issues. The package of measures would be a combination of both on-site and off-site proposals. The additional on-site mitigation measures are required to be over and above existing policy requirements.
- 5.45 Since this analysis was done, the applicants have reviewed the figures and at the time of writing this report have just submitted a new Air Quality Assessment. This is currently being considered by the Air Quality officer and an update will be given at the Committee meeting.
- 5.46 In regard to the noise impacts of the development, given that the site would be located within an existing industrial estate and would be used for warehousing and distribution, the proposal would not result in any adverse noise impacts and there are no residential properties within close proximity to the site.
- 5.47 Overall, subject to conditions and a s106 agreement the proposal would not result in an adverse impact upon air quality or noise and would therefore accord with Local Plan Policy ENV12.

Flood Risk and Drainage

- 5.48 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. 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 as well as permeable paving to the staff car park.
- 5.49 Thames Water have advised that in regard to foul water that there is sufficient sewerage capacity to accommodate the development. In regard to surface water, they advise that they will only connect once it has been demonstrated that the hierarchy of disposal methods has been examined and approved by the lead local flood authority. The Council's Drainage Officer raised no objection to the proposal and confirmed that based on the impervious nature of the soil strata and the distance to a watercourse, the feasible option will be a connection of the surface water discharge to a public sewer asset such as Thames Water. The Drainage officer requires the submission of a construction drainage and environment management plan prior to the commencement of the development.
- 5.50 Subject to conditions 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.

Contaminated Land

- 5.51 A Preliminary Phase 2 Contaminated Land Risk Assessment was submitted with this application. This indicates that the ground under the existing floor slab may require further intrusive investigation following demolition works. It is understood intrusive works have been undertaken and that no remediation works are suggested based on the results of the investigation and future surfacing of the site. It is further understood that not all the site was available for intrusive works and that more investigation is to be undertaken.
- 5.52 The recommendations and analysis detailed in the submitted report are considered acceptable in principle, but the report states that further investigation is required. As a result, the Environment

Agency raised no objection, but request a condition advising that should contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy is approved. The Council's Contaminated Land Officer has no objection to the proposal subject to a condition relating to a 3-stage risk based approach relating to risk assessment, options appraisal and remediation & verification.

- 5.53 Therefore, the proposal, subject to conditions requiring the submission of a 4 stage contaminated land strategy to be submitted prior to the commencement of the development as well as a condition requiring work to stop immediately should any contamination be found, the proposal would not result in an adverse impact regarding contamination and is considered acceptable in this regard.

Developer contributions

- 5.54 A S106 agreement is required to secure the following matters:

- Travel Plan monitoring fee of £3500
- Air Quality Mitigation measures to a value of £127,164 to include both on-site and off-site mitigation measures

- 5.55 In regard to a Manor Royal contribution towards public realm improvements, the proposal would result in a reduction in business floor space therefore a contribution would not be required in this regard.

Gatwick Airport safeguarding

- 5.56 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:-

- 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 building 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 trees would be balanced against the overall benefits of the development. The specific operational needs of the site and this operator 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 the Travel Plan monitoring fee and air quality mitigation measures, 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/2021/0247/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 development 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. 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 building shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
REASON FOR PRE-COMMENCEMENT: This condition is required pre-commencement as it relates to the site layout and how building will be constructed.
5. Prior to the commencement of the development hereby permitted, a Construction, Drainage and Environment Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the storage of plant and materials used in construction of the development,
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
 - the management of surface water during construction
 - details of biodiversity and mitigation measures during site clearance, demolition and construction.REASON: In the interests of highway safety, ecology, drainage and the amenities of the area in accordance with Policy IN3 and CH3 of the Crawley Borough Local Plan 2015 - 2030.
REASON FOR PRE-COMMENCEMENT: This condition is required pre-commencement to ensure appropriate arrangements are in place to manage construction vehicles and related construction traffic arriving at the site and to ensure the potential impacts upon the amenity of the area, drainage and ecology are controlled.
6. The development hereby permitted shall be carried out in accordance with the Air Quality Assessment in particular Table 22 - Mitigation of Construction Activities, dated July 2021 submitted with the application which must be implemented during the construction of the development .
REASON: To ensure that the development does not have a negative impact on Air Quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 - 2030.
7. The development hereby permitted shall be carried out in accordance with the Travel Plan ref 2021/5819/TP02 dated June 2021 submitted with the application. Only the approved details shall be implemented.
REASON: To encourage and promote sustainable transport in accordance with Policy IN3 of the Crawley Borough Local Plan 2015 - 2030.
8. Prior to the occupation of the development hereby permitted the car, motor cycle and lorry parking spaces (including the electric vehicle charging spaces) and the turning and manoeuvring areas shall be constructed in accordance with the approved plans. These spaces and areas shall thereafter be retained for their designated use.

REASON: To provide adequate on-site car parking and turning space for the development in accordance with Policy IN3 of the Crawley Borough Local Plan 2015 - 2030.

9. Prior to the first occupation of the development hereby permitted, plans and elevation shall be submitted to and approved in writing by the Local Planning Authority for:
- (i) 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 the development 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.
10. No infiltration of surface water drainage into the ground is permitted other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 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 caused by mobilised contaminants in line with Policy ENV10 of the Crawley Borough Local Plan 2015-2030 and paragraph 170 of the National Planning Policy Framework.
11. The development hereby permitted shall be implemented and thereafter maintained and managed in accordance with the Flood Risk Assessment and Drainage Strategy provided by PRK UK Ltd and dated 30 March 2021, including a reduction of 50% of the pre development surface water 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.
12. Prior to the occupation of the development hereby permitted, a post construction certification shall be submitted to and approved in writing by the Local Planning Authority. This shall confirm that the works including the SuDS features proposed in the FRA and Drainage Statement have been constructed as stated. This shall be carried out by a third party.
- 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.
13. The development hereby permitted shall be carried out in accordance with the Tree Survey and Impact Assessment dated March 2021 ref: 1610-KC-XX-YTREE Rev 0 submitted with the application. The tree protection measures as set out within Section 6 of 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 existing trees are not compromised during the construction of the development in accordance with Policy CH3 and CH6 of the Crawley Borough Local Plan 2015 - 2030. This condition is required pre-commencement as it relates to the site layout and how building will be constructed.
14. No above ground development shall take place until full details of soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. These details shall include:
- Grassed areas
 - The species, number and spacing of trees and shrubs
 - Hedging
- The approved details of the landscaping shall be carried out in the first planting and seeding season following the occupation of the 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 the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to

any variation. 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: In the interests of amenity and of the environment of the development and 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 Policies CH3 and IN1 of the Crawley Borough Local Plan 2015 - 2030.

15. Prior to the first occupation of the development, 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.
16. The recommendations set out in the Ecological Impact Assessment report by Lizard Landscapes dated 11 June 2021 shall be implemented in full unless otherwise agreed 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 policy ENV2 of the Crawley Borough Local Plan 2015 - 2030.
17. Prior to the first occupation of the development, 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 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.
18. Prior to the commencement of the development hereby permitted, details showing the proposed location of one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. The approved details shall then be implemented prior to occupation of the development.
REASON: to ensure the operational requirements of the development 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.
19. No above ground works shall be carried out 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.
20. No above ground works shall be carried out 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 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.

21. Prior to the commencement of the development hereby permitted, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
- Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.
- The Bird Hazard Management Plan shall be implemented as approved, upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
- Reason: It is necessary to manage the roof 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.
- REASON FOR PRE-COMMENCEMENT: This condition is required pre-commencement as it relates to how the building will be constructed.
22. Prior to the commencement of the development hereby permitted, a strategy to deal with the potential risks associated with any contamination of the site shall be 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;
 - 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.
23. 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 with Policy ENV10 of Crawley Borough Local Plan 2015-2030 paragraph 170 of the National Planning Policy Framework.
24. No solar panels shall be installed until full details have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved scheme are to take place unless agreed in writing by the Local Planning Authority. The scheme shall be implemented as approved.
- REASON: In the interest of visual amenity and to ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues in accordance with Policies CH3 and ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD

25. Within six months of the occupation of the development 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.

26. The space and connection point for a future heat plate exchanger and associated future ducting route for a connection to a District Heat Network, identified on submitted drawing 6113-CBC-00-00-DR-U-96002 T01, shall be kept available for this purpose.
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.

INFORMATIVES(S)

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

Please note that as from 31st May 2021 crane operators will in the first instance need to notify the Civil Aviation Authority (CAA) of any cranes in the UK that are over 10m in height or taller than the surrounding trees/structures. Notification should be at least 8 weeks before any crane is due on site. For further details please refer to CAP1096 'Guidance to Crane Operators on Aviation Lighting and Notification' available at www.caa.co.uk

2. Only clean uncontaminated water should drain to the surface water system. Roof drainage shall drain directly to the surface water system (entering after the pollution prevention measures). Appropriate pollution control methods (such as trapped gullies and interceptors) should be used for drainage from access roads and car parking areas to prevent hydrocarbons from entering the surface water system.
3. In regard to condition 22 above, the following applies:
1. A desk-top study carried out by a competent person. The study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. Two full copies of the desk-top study and the non-technical summary shall be submitted to the LPA.
 2. A site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology BS 10175:2011. The site investigation should fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications, including an assessment of risk to any potential receptors. A full report on the findings of the site investigation shall be submitted to the LPA see note above.
 3. A written remediation statement, detailing the works necessary so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including any controlled waters, shall be submitted to the LPA and agreed in writing with the LPA prior to any remediation commencing on site. Two copies of the remediation report shall be submitted to the LPA.
 4. Approved remediation works shall be carried out in full on site, under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the remediation works contamination is encountered that had not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA in accordance with the process laid out at points 1 – 3 above.
 5. Upon completion of the remediation works, this condition shall not be discharged until further validation report has been submitted to, and approved by the LPA. The validation report shall include quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the

validation report together with the necessary documentation detailing what waste materials have been removed from the site.

4. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or is being built. Planning consent for a development does not provide a defence against prosecution under this Act.

Trees and scrub are likely to contain nesting birds between 1 March and 31 August inclusive. Trees and scrub are present on the application site and are assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity during this period and shown it is absolutely certain that nesting birds are not present.

5. The applicant is advised of the following advice from Thames Water:
There are public sewers crossing or close to your development. If you're planning significant work near our sewers, 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-large-site/Planningyour-development/Working-near-or-diverting-our-pipes>.

6. The applicant is advised of the following advice from Southern Water:
 - 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 should be located within 5 metres of a public water main.
 - 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 connection and on-site mains to be made by the developer. A formal application for a connection can be made via Southern Water's online developer services portal at: <https://developerservices.southernwater.co.uk>

1. NPPF Statement

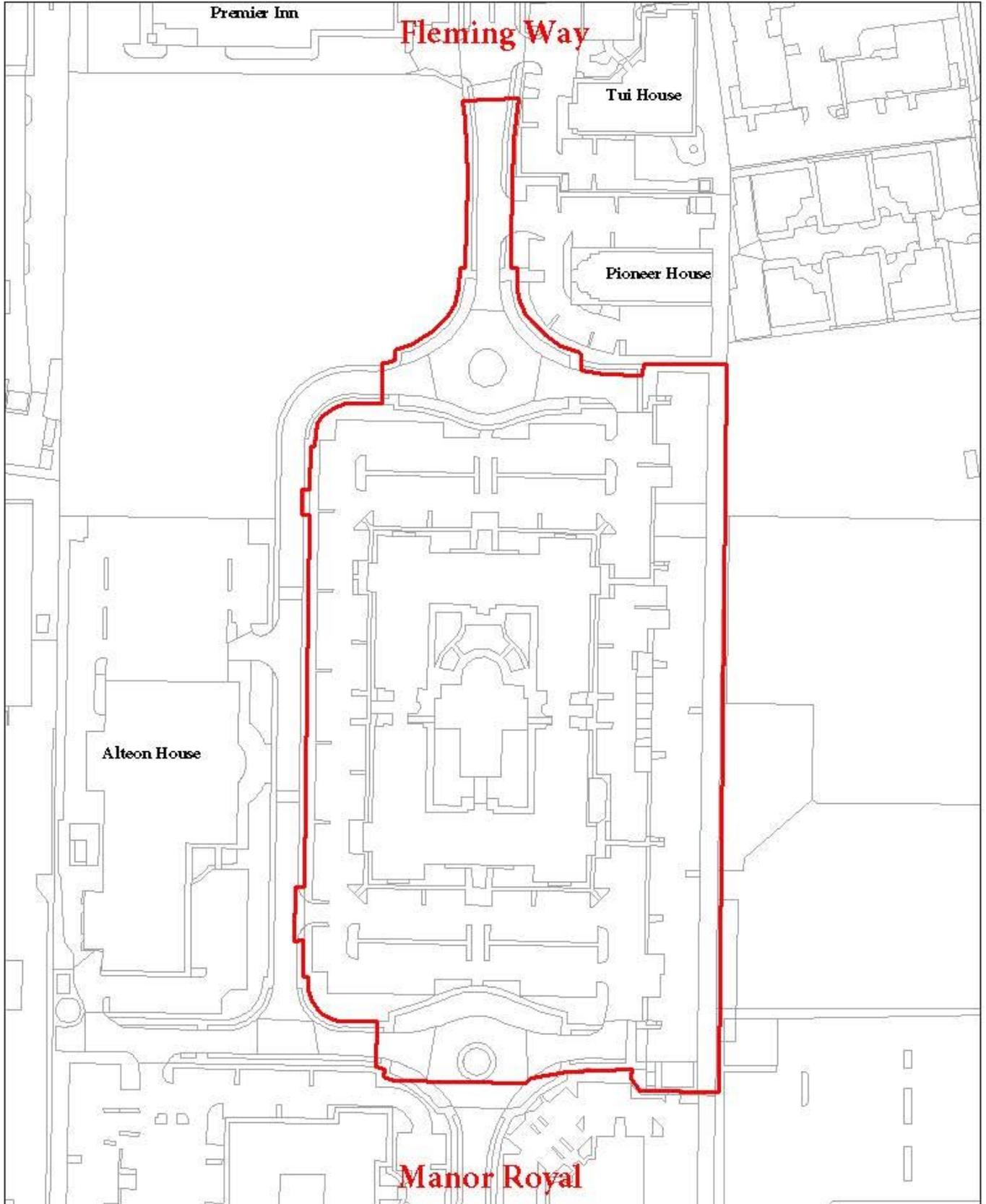
In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:

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

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



CR/2021/0247/FUL Proposed Site Plan 4



Crawley Borough Council

Minutes of Planning Committee - Tuesday, 20 July 2021

6. Planning Application CR/2021/0247/FUL - The Office, Crawley Business Quarter, Manor Royal, Northgate, Crawley

Disclosures of Interest

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	Planning application CR/2021/0247/FUL – The Office, Crawley Business Quarter, Manor Royal, Northgate, Crawley	Personal Interest – member of Crawley Walking and Cycle Forum (a consultee on the application).
Councillor P Smith	Planning application CR/2021/0247/FUL – The Office, Crawley Business Quarter, Manor Royal, Northgate, Crawley	Personal Interest – member of Crawley Walking and Cycle Forum (a consultee on the application).
Councillor P Smith	Planning application CR/2021/0247/FUL – The Office, Crawley Business Quarter, Manor Royal, Northgate, Crawley	Personal Interest – Local Authority Director of the Manor Royal Business Improvement District.

The Committee considered report [PES/373c](#) of the Head of Economy and Planning which proposed as follows:

Demolition of existing building and associated structures and redevelopment for storage and distribution warehouse within use class B8.

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

The Principal Planning Officer (VC) provided a verbal summation of the application which sought permission for the construction of a warehouse for business use in the Manor Royal Business Improvement District. The Committee heard that, since the publication of the report, further discussions between relevant parties had led to amendments proposed to conditions 7, 14, 22, and 24, and the addition of new informatives 7 and 8. The revised air quality assessment was considered acceptable with the revised costs of £47,000 and the corresponding level of mitigation measures were to be secured via the Section 106 agreement.

Eric Hall, the agent (TDH Estates) on behalf of the applicant, spoke in support of the application. Matters raised included:

- The suitability of the scheme for the intended user, which would allow for increased capacity and the creation of jobs.
- The proposed landscaping and additional trees to be planted at the site.

- Elements of the scheme were designed to meet BREEAM 'excellent' standard including water consumption, energy usage, PV panels, and electric vehicle charging points.

The Committee then considered the application. The officer confirmed that the proposed parking provision exceeded the borough parking standards, and that parking and access were to be controlled by conditions. A travel plan was also required of the applicant which would cover staff vehicles and business vehicles and encourage the use of sustainable modes of transport.

A query was raised regarding the suitability of B8 use buildings at the proposed location. The officer clarified that there were not designations or limitations for specific use classes in certain areas of Manor Royal. As the scheme was for business use the location within the Manor Royal Employment Area was appropriate and policy compliant.

The officer confirmed that air source heat pumps would form the main heating and cooling system within the building. There was also provision for a potential future connection to the Crawley District Heat Network included in the design.

RESOLVED

Permit subject to the conditions set out in report PES/373c and the amended conditions and additional informatives as follows:

Amended conditions

7. The development hereby permitted shall be carried out in accordance with the Travel Plan ref 2021/5819/TP02 dated July 2021 submitted with the application. Only the approved details shall be implemented.

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

14. The development hereby permitted shall be carried out in accordance with the Landscape Design Strategy dated 01.07.2021 and the Landscape Strategy Masterplan, Drawing No. LLD2252-LAN-DWG-010 Rev 04 submitted with the application.

The approved details of the landscaping shall be carried out in the first planting and seeding season following the occupation of the 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 the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. 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: In the interests of amenity and of the environment of the development and 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 Policies CH3 and IN1 of the Crawley Borough Local Plan 2015 - 2030.

22. Immediately following demolition of the existing building and prior to any further construction works, a strategy to deal with the potential risks associated with any contamination of the site (as set out within the Phase I Desk Study Report Contaminated Land Risk Assessment dated 11 February 2021) shall be submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components:

- 1) The results of the site investigation and the detailed risk assessment and, based on these findings, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.*

2) *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 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 the Crawley Borough Local Plan 2015-2030 and with paragraph 170 of the National Planning Policy Framework.

24. *No solar panels shall be installed until full details, including a solar hazard glare study if required, have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved scheme are to take place unless agreed in writing by the Local Planning Authority. The scheme shall be implemented as approved.*

REASON: In the interest of visual amenity and to ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues in accordance with Policies CH3 and ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.

Additional informatives

7. *The applicant is advised that the Crawley Business Quarter is a private road, therefore the Local Highway Authority is unable to sign off any works as they do not form part of the adopted highway network maintained or owned by WSCC. For this reason all reference to WSCC should be removed from the Road Safety Audit – Stage 1 contained within the Transport Assessment.*

8. *The applicant is advised that in regard to condition 14 the amount of berry/fruit bearing species proposed as part of the soft landscaping scheme does not exceed 40% of the total planting palette and is distributed across the site.*

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Agenda Item 7

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 11 January 2022
REPORT NO: PES/378(c)

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: Mrs J. McPherson

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

Agenda Item 7

C227/4016	t1	Typical External Envelope Section Details Sheet 2
C227/4018	t1	Typical Escape Door Details
C227/4019	t1	External Envelope Plan Details
C227/4020	t1	Typical Level – Loading Door Details
C227/4021	t1	Typical Door Leveller Door Details
C227/4012	t1	Units 01 and 02 Typical Curtain Wall External Wall Strip Section Sheet 1
C227/4013	t1	Units 01 and 02 Typical Office External Wall Strip Section – Sheet 2
C227/4015	t1	Typical External Envelope Section Details Sheet 1
20054-BGL-XX-XX-M2-S-00225	T1	Proposed Site Sections Sheet 1 of 2
20054-BGL-XX-XX-M2-S-00226	T1	Proposed Site Sections Sheet 2 of 2
20054-BGL-XX-XX-DR-S-00206	T3	Preliminary Proposed Contours
20-178-EX-003	P1	Ductwork for connection to future District Energy Network

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE:-

- 1.1 This application was considered at the meeting of the Planning Committee on 29th June 2021. A copy of the original committee report is attached as Appendix A and the minutes of the meeting are attached as Appendix B at the end of this report.
- 1.2 Members will recall that at the meeting it was resolved to grant planning permission for the development with delegated authority to officers to continue ongoing discussion with the ecologist and Environment Agency on the precise wording of the conditions but also to conclude a S106 agreement to secure the following:
 - Off-site infrastructure requirements due to the shortfall of replacement tree planting
 - A Manor Royal contribution
 - Provision within the site to contribute to the inter-related Micropark Trail and Super Hub Bus Stop Project
 - Travel Plan and its monitoring fee
 - Air Quality mitigation
- 1.3 Since the committee resolution and the applicants have been actively working conclude the agreement and this document was completed on the 17th September 2021. However, on the 14th September the Natural England Position Statement on Water Neutrality was received by the Local Planning Authority and as a consequence the planning permission could not be issued and this matter fully addressed by the applicants.
- 1.4 Since September, the applicants have sought to address water neutrality but have also sought to use the enforced delay to submit further information in order to remove the need for any pre-commencement conditions. As a result, further information has been provided to address other conditions which were proposed on the original officer report as well as further information to address the issue of Water Neutrality. This report addresses the changes since the original committee resolution.

CONSULTEE NOTIFICATIONS & RESPONSES:-

- 2.1 Please note those consultees listed below relate only to new information received since 29th June 2021 where re-consultation has taken place.
 1. Ecology Satisfied with the amended Construction Management

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2. Environment Agency Plan.
The two submitted reports satisfy all parts of our previously requested contamination condition but a condition is still needed for a verification report and to deal with any unexpected contamination.
3. CBC Energy Efficiency & Sustainability No objection to conditioning as per submitted plan.

PLANNING CONSIDERATIONS:-

- 3.1 This report considers the specific matters that have arisen since the application was previously discussed by the planning committee as explained above:
These are:
- Water Neutrality
 - Design and Appearance of the building
 - Ecology
 - Contamination
 - Sustainability – District Energy Requirements

Water Neutrality

- 3.2 Crawley is situated in an area of serious water stress, as identified by the Environment Agency. The application site is supplied with water by Southern Water from its Sussex North Water Resource Zone (SNWRZ). This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.
- 3.3 On 14 September 2021, the council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the SNWRZ is not having an impact on the Arun Valley sites. It advises that developments within this zone must not add to this impact.
- 3.4 Under the Conservation of Habitats and Species Regulations 2017 (s.63), Crawley Borough Council is the Competent Authority and has a duty to consider the impact of development on protected species and habitats. These Regulations and the Natural England Position Statement require, as a matter of law, applications for planning permission in the SNWRZ to demonstrate that they do not increase pressure on water resources and that they are “water neutral.” As a consequence, all applications that may affect water consumption need to be ‘screened’ to identify whether the proposed development, individually or in combination with other projects, will result in a significant effect on the Arun Valley sites.
- 3.5 This application is not exempt under the Screening process and therefore the applicants are required to submit evidence so that a judgement can be made by CBC as to whether there could be any potential significant impacts of the development on the Arun Valley sites by way of an ‘Appropriate Assessment’. In accordance with Natural England Position Statement, to meet this test the development must demonstrate that it is ‘water neutral’. The definition of water neutrality is the use of water in the supply area before the development being the same or lower after the development is in place.
- 3.6 This application is one where the new use proposed for the site, for 2 storage and distribution buildings with ancillary offices, was identified as being potentially more efficient or water neutral than that of the previous site use as an office.
- 3.7 The applicants have provided a variety of documents including a “Water Usage Analysis”, “Water Neutrality Report”, BREEAM pre Assessment and various documents relating to water consumption calculations, likely occupancy, metering rates and a proposed rainwater harvesting system. This information has been independently assessed for CBC by a specialist consultant.

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- 3.8 The review considered the existing water use of the building based on existing occupancy, consideration of existing building layout, use evidence of metered consumption. An annual water consumption figure was calculated (and agreed by CBC's consultants) as 9,108m³ / year as a theoretical estimate and 9,947m³ / year based on actual 2019 consumption.
- 3.9 The proposed development represents a significant reduction in office space to around 10% of current provision. This development is speculative so the future occupancy rate has been calculated based on a BREEAM water calculation. The applicant's evidence and proposed measures show that the calculated water demand for the new building is around 2,067m³ / year or 2,431m³ /year without rainwater harvesting. Based on these assumptions, the water demand calculation, again as agreed by CBC's consultants, is 2,067m³ / year.
- 3.10 CBC officers and our consultants have considered the report and agree with the assumptions and conclusions. It is therefore considered that, assuming the development is implemented in accordance with the evidence presented, the development would be 'water neutral'. Conditions are therefore required to ensure compliance with the proposed measures and a further condition due to the speculative nature of the application to control possible water intensive vehicle washing which could be associated with a Class B8 use.
- 3.11 Based on these findings an Appropriate Assessment document is being prepared and sent to Natural England for comment (as required under Habitat Regulations). A reasonable time period is required for that consultation.

Design and Appearance of the building

- 3.12 The applicants have provided a detailed materials schedule specifying the materials to be used for the buildings. Samples of these materials are also due to be submitted but had not been provided at the time of preparation of this report (although are anticipated to be delivered prior to the committee meeting). Officers consider that the overall colour scheme for the building which comprises aluminium curtain wall panels with varying shades of grey on the south elevation to break up the building massing could be acceptable subject to satisfactory material samples and is based on the elevations shown to the committee back in June. The proposed grey fenestration is considered acceptable, based on the schedule, the materials proposed. An update on the materials and any amendments to condition 4 will be provided at the meeting.
- 3.13 The applicants have also provided further information on the window and door details for the buildings requested by condition 5 (as drafted in June). The sections show the cladding and curtain walling as proposed to be installed would achieve a generally flush profile to the exterior of the building with a parapet gutter detail allowing concealment of the rainwater goods. The windows would have narrow sills just extending the depth of the cladding with a limited recess to the glazing to sit within the cladding panels. It is considered the details provided would ensure a good quality finish to the building and the condition 5 has been amended to reflect this.
- 3.14 Site levels plans have been provided showing the finished floor levels for the buildings and car parking areas with various sections showing the land levels at points along the boundary and the construction methodology to be applied where works are close to nearby trees. These drawings are considered appropriate and condition 6 has been amended to ensure implementation in accordance with these plans.

Ecology

- 3.15 A revised Construction Management Plan (CMP) has been submitted (updated version 7th July 2021). This was revised to address the initial concerns of the ecologist who considered the original plan as submitted was deficient in regard to mitigating lighting impacts during construction on the tree boundary to the north of the site. This has now been addressed with the inclusion of further information to address this concern. Condition 22 as originally worded is no longer required as the requirements of that condition are now included within the revised CMP (referenced in condition 7).

Contamination

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- 3.16 The applicants have also sought to address the site contamination issues and further consultation was carried out with the Environment Agency on the following documents
- Site Location Plan (dwg ref. C227/3000 pl1), prepared by CMP Architects;
 - Remediation and Verification Strategy, dated, March 2021 prepared by Delta Simons
 - Preliminary Risk & Geo-Environmental Assessment, dated March 2021, prepared by Delta Simons;
 - Supplementary Geo-Environmental Ground Investigation Report, dated July 2021, prepared by Delta Simons; and
 - Remediation and Verification Strategy, dated July 2021, prepared by Delta Simons
- 3.17 The Environment Agency have confirmed that the two newly submitted reports (when read with the existing submitted information) comprise an acceptable contamination strategy for the site and therefore condition 13 has been amended accordingly. Conditions 14 and 15 remain applicable as a final verification report is still required and measures need to remain in place to deal with unexpected contamination.

Sustainability – District Energy Requirements

- 3.18 The applicants have provided further details to illustrate how the proposed development can be serviced with an entry point for future connection to a district energy network. This condition redrafted with reference to provision through an agreed plan drawing.

CONCLUSIONS:-

- 4.1 As set out above, since the original resolution to grant planning permission in June 2021, the matter of water neutrality has arisen which has resulted in the agent having to demonstrate that the proposal would be water neutral. It is considered that the applicants have successfully demonstrated that the proposed development achieves water neutrality subject to a conditions ensuring the measures contained with the submitted documents are implemented. .
- 4.2 In the intervening time period the applicants have also submitted details to address design matters and pre commencement conditions as set out above, the details of which are considered appropriate.
- 4.3 It is therefore considered that the proposal is acceptable for the reasons as set out in this report and, subject to the associated conditions which have been amended to reflect the current position, the conclusion of the S106 agreement and conclusion of consultation with Natural England, planning permission should be granted.

RECOMMENDATION RE: CR/2021/0248/FUL

Delegate the decision to **permit** the application to the Head of Economy and Planning, subject to the conclusion of consultation with Natural England, the conclusion of a Section 106 Agreement, and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, including any future amendments, the proposed building hereby approved shall be used for storage and distribution (B8) use only and for no other purpose defined by the Town and

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Country Planning (Use Classes) Order 1987 (as amended), without the prior written consent of the Local Planning Authority.

REASON: To ensure that levels of parking provision and the appropriateness of other uses within the Manor Royal Main Employment Area can be properly assessed in accordance with policies CH3, EC2 and EC3 of the Crawley Borough Local Plan 2015-2030 and the parking standards within the Urban Design Supplementary Planning Document and, taking account of the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would result in a breach of the Conservation of Species and Habitats Regulations 2017.

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. The window profiles, entrance doors and building finish details shall be constructed in accordance with approved drawing numbers C227/4012 Rev t1, C227/4012 Rev t1, C227/4013 Rev t1, C227/4015 Rev t1, C227/4016 Rev t1, C227/4018 Rev t1, C227/4019 Rev t1, C227/4020 Rev t1 and C227/4021 Rev t1C unless otherwise agreed in writing by the Local Planning Authority.

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.

6. The development hereby permitted shall be constructed strictly in accordance with land levels, finished floor levels and specifications detailed on the following plans:

DR-S-000206-T3 - Preliminary Proposed Contours

M2-S-00225-T1- Proposed Site Sections Sheet 1 of 2

M2-S-00225-T1- Proposed Site Sections Sheet 2 of 2

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.

7. The development, including works of demolition, hereby permitted shall be carried out in accordance with the approved Construction Management Plan (CMP), Revision 7 dated July 2021, including the Dust Management Plan (Appendix C) and the details of biodiversity protection and mitigation measures as stated at paragraph 2.21 to be implemented during site clearance, demolition and construction including the measures to protect the adjacent tree belt from glare and significant increases in lux levels which could adversely impact bats and other nocturnal animals. 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, and 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.

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.

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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. The development hereby permitted shall be carried out in accordance with the following approved reports:
- Preliminary Risk & Geo-Environmental Assessment, dated March 2021 and provided by Delta Simons
 - Supplementary Geo-Environmental Ground Investigation Report, dated July 2021 and provided by Delta Simons
 - Remediation and Verification Strategy, dated March 2021 and provided by Delta Simons
 - Remediation and Verification Strategy, dated July 2021 and provided by Delta Simons
- 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.
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.

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16. 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 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.
17. 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.
18. 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.
19. 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.
20. Before first occupation of the development, the ductwork to enable the development to be 'network ready' in the event that a District Energy Scheme is delivered shall be implemented in accordance with drawing number 20-178-EX-003 Rev P1.
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.
21. 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.
22. Prior to occupation of Unit 1 or Unit 2, 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
- Details of any irrigation measures and drought resistant planting
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

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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, to address water stress in accordance with policy ENV9 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.

23. 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, and
- an enhancement and management plan for biodiversity features 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. The approved details shall be implemented in full including on site completion of initial biodiversity enhancements within the first available planting season.

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

24. Prior to the first occupation of Unit 1 or 2, the package of mitigation measures, as referenced in the Air Quality Mitigation email dated 24 June 2021, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the development does not have a negative impact on air quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 – 2030 and to accord with the air quality mitigation contained within the submitted Air Quality Assessment provided by Air Quality Consultants Ltd and dated March 2021.

25. No above ground development shall take place until precise details of the low-flow water fittings to be installed for both units to achieve at least a 40% improvement on the BREEAM baseline standard and to meet the target of 3 credits for the WAT 01 category have been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details

REASON: In order to comply with the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.

26. No above ground development shall take place until precise details of the rainwater harvesting system for both units to achieve at least a 40% improvement on the BREEAM baseline standard in line with the proposed water calculations set out in paragraph 3.89 and 3.10 of Water Environment Technical Note Rev C02 21171-WRC-TN-04 have been submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details.

REASON: In order to comply with the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.

27. No part of either building or its service area shall be designated, equipped or used as a vehicle washing area, without the prior written consent of the Local Planning Authority.

REASON: In order to comply with the Natural England Position Statement on water neutrality

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received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.

INFORMATIVE(S)

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.
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 Seured 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>.

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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

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

1. NPPF Statement

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

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

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

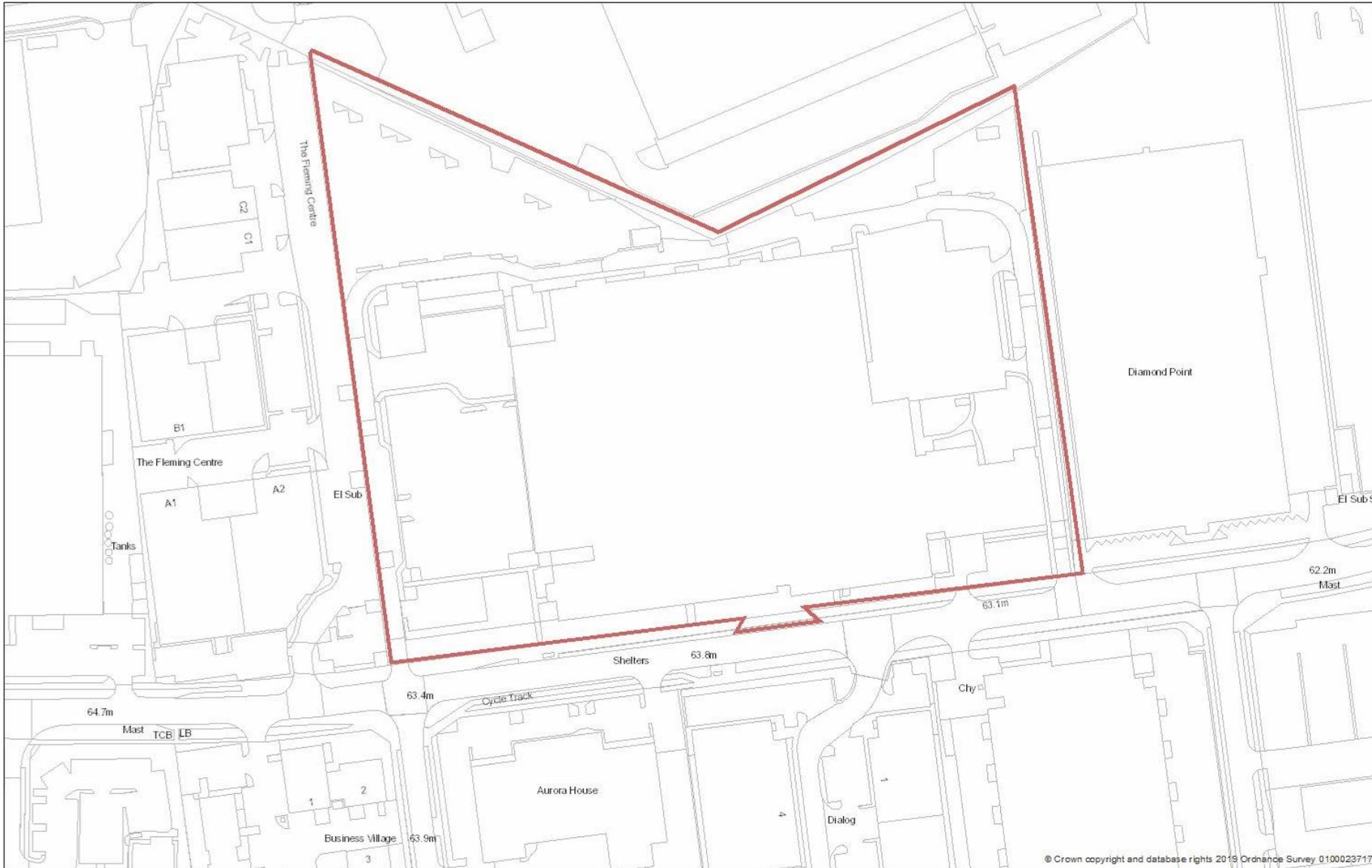


ArcGIS Web Map



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

1:1,250



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

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

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.

- 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.

- 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

and landscaping that is in accordance with the Manor 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.

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.

- 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.

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

- 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

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

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 Crawlers 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.

- 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.

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:-

- 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.

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;

- 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

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

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.

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

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.

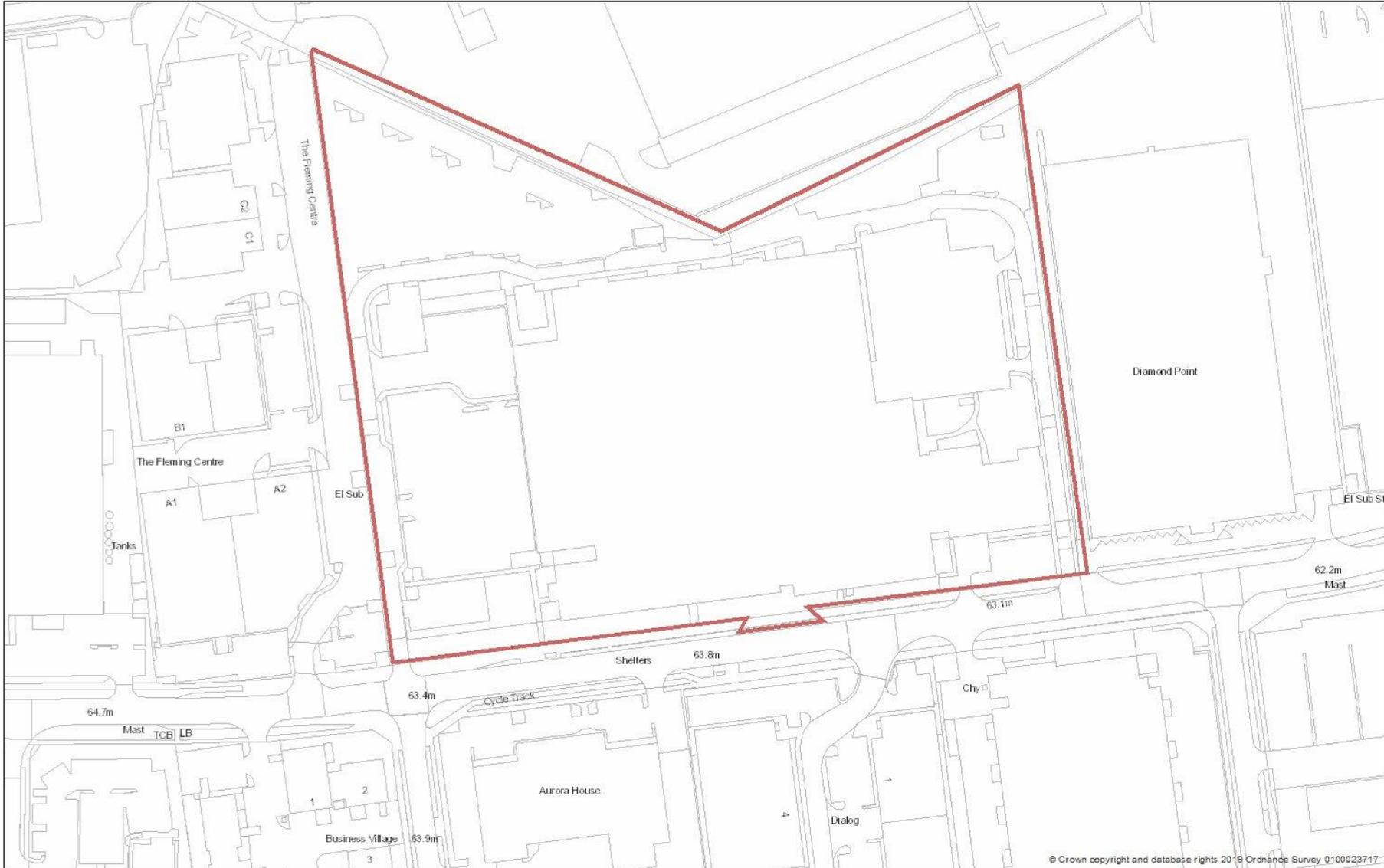


ArcGIS Web Map



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

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Crawley Borough Council

Minutes of Planning Committee - Tuesday, 29 June 2021

4. Planning Application CR/2021/0248/FUL - The Base, Fleming Way, Northgate, Crawley

Disclosures of Interest

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	Planning application CR/2021/0248/FUL – The Base, Fleming Way, Northgate	Personal Interest – a member of Crawley Walking and Cycle Forum (a consultee on the application).
Councillor P Smith	Planning application CR/2021/0248/FUL – The Base, Fleming Way, Northgate	Personal Interest – a member of Crawley Walking and Cycle Forum (a consultee on the application).
Councillor P Smith	Planning application CR/2021/0248/FUL – The Base, Fleming Way, Northgate	Personal Interest – Local Authority Director of the Manor Royal Business Improvement District and Chair of the Micropark Committee.

The Committee considered report [PES/372a](#) of the Head of Economy and Planning which proposed as follows:

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.

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

The Senior Planning Officer provided a verbal summation of the application, which proposed commercial development at a site within the Manor Royal Business Improvement District (BID). The Committee heard that, since the publication of the report, further discussions had taken place with the applicant leading to amendments to the wording of conditions 6 and 25, the removal of condition 16, and the addition of a new condition 26. Delegated authority to officers was also sought regarding amendments to the Environment Agency (contamination) and ecology conditions due to ongoing discussions with the relevant consultees.

Matthew Mainwaring, the agent on behalf of the applicant, spoke in support of the application. Matters raised included:

- The application’s compliance with Local Planning Authority policies, including those related to car and cycle parking.
- The environmental sustainability of the proposal which had received a BREEAM ‘excellent’ rating and would result in a biodiversity net gain at the site, with ecological enhancements connected to existing local green infrastructure.
- The discussions between the applicant, Local Planning Authority, and Manor Royal BID Board which had resulted in positive outcomes (including the addition of the micropark proposal).

The Committee then considered the application. The provision of solar panels and the micropark were considered positive aspects of the application, as was the proposal to retain the large protected oak tree at the front of the site. Concerns were raised regarding the loss of six protected (and four unprotected) trees, however the Committee acknowledged the net gain in biodiversity that would result from the proposed redevelopment of the site. Furthermore, the Section 106 agreement was to secure a contribution of £14,700 in lieu of the required 21 replacement trees. Assurance was sought from the Committee that remaining trees were to be safeguarded during construction.

It was clarified that a further contribution of £784 - £2 per additional square metre of new floorspace proposed (above the existing floorspace currently on site) was to be secured toward enhancements to the public realm.

Clarification was sought regarding the parking provision. Of the two proposed parking areas, one offered a shortfall of parking spaces while the other offered a surplus. The access to the two parking areas was shared, so the combined overall provision of spaces was deemed acceptable.

It was recognised that the buildings proposed were for storage use, which provided fewer employment opportunities than those allocated for office use, however Local Plan policy E3 allowed for 'B' use classes so the application was policy compliant in this regard. The proposal was deemed to be potentially beneficial to the local economy given the Covid-19 pandemic and the resulting lack of demand for office space.

RESOLVED

Permit subject to the conclusion of a Section 106 legal agreement, the conditions and informatives set out in report PES/372a (excluding condition 16), the amended and new conditions set out below, and the provision of delegated authority to officers for amendments to the Environment Agency (contamination) and ecology conditions.

6. Before any work for the implementation of this permission commences (excluding demolition), 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.

25. Prior to occupation of Unit 1 or Unit 2, full details of hard and soft landscaping works shall be 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, 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 2, the package of mitigation measures, as referenced in the Air Quality Mitigation email dated 24 June 2021, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the development does not have a negative impact on air quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 – 2030 and to accord with the air quality mitigation contained within the submitted Air Quality Assessment provided by Air Quality Consultants Ltd and dated March 2021.

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 11 January 2022
REPORT NO: PES/378(d)

REFERENCE NO: CR/2021/0621/OUT

LOCATION: [CAR PARK, STATION WAY, NORTHGATE, CRAWLEY](#)

WARD: Three Bridges

PROPOSAL: OUTLINE APPLICATION FOR THE REDEVELOPMENT OF THE CAR PARK TO FORM MIXED USE RESIDENTIAL (INDICATIVE 15 FLATS) AND COMMERCIAL SCHEME AT GROUND FLOOR.

TARGET DECISION DATE: 14 January 2022

CASE OFFICER: Mr H. Walke

APPLICANT'S NAME: Simco Homes Ltd

AGENT'S NAME: Urbana Town Planning Limited

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
21-10	A	Proposed ground and first floor plan
21-15	A	Proposed roof plan and existing levels
21-12	A	Proposed north and south elevations
21-14	A	Proposed construction details
21-13	A	Proposed Site Plan
21-11	A	Proposed second, third and fourth floor plan and end elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|--|---|
| 1. | GAL Aerodrome Safeguarding | No objection subject to conditions |
| 2. | Network Rail | Objection on railway safety grounds |
| 3. | WSCC Highways | Comments provided |
| 4. | National Air Traffic Services (NATS) | No safeguarding objection |
| 5. | Thames Water | No objection subject to condition |
| 6. | Police | Comments provided |
| 7. | CBC Drainage Officer | Comments provided |
| 8. | CBC Housing Enabling & Development Manager | Objection |
| 9. | CBC Planning Arboricultural Officer | No response received |
| 10. | CBC Contaminated Land Officer | No response received |
| 11. | CBC Environmental Health Officer | Comments awaited |
| 12. | Crawley Cycle & Walking Forum | Comments provided |
| 13. | CBC Refuse & Recycling Team | Comments provided |
| 14. | Southern Water Ltd | Comments provided |
| 15. | CBC Energy Efficiency & Sustainability | Comments provided and condition recommended |
| 16. | CBC Retail & Employment | No objection |
| 17. | CBC Urban Design | Objection on design and overdevelopment grounds |
| 18. | Listed Building Officer | Objection on heritage grounds |
| 19. | Archaeology Officer | Comments provided and condition recommended |
| 20. | WSCC Lead Local Flood Authority | Comments provided |
| 21. | CBC Countryside & Open Space | No response received |
| 22. | CBC Air Quality Management Officer | Comments provided |

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- 23. Central Crawley CAAC
- 24. Arora Management Services Ltd

No response received
No response received

NEIGHBOUR NOTIFICATIONS:-

The application was advertised by a site notice, press notice and consultation letters, with a consultation deadline of 17 November.

RESPONSES RECEIVED:-

One objection from a Crawley resident has been received raising concerns about the proposal being adjacent to a busy road, railway lines and the level crossing, being a health hazard due to noise and pollution from trains and traffic, objects falling onto the railway line and due to lack of car parking.

REASON FOR REPORTING TO COMMITTEE:-

The application is for 'major' development.

THE APPLICATION SITE:-

- 1.1 The application site contains a surface car park providing eleven car parking spaces. The site lies on the junction of High Street and Station Way. The existing vehicular access is at the western end of the site, close to the High Street junction, and the exit is at the eastern end of the site. To the west, across the High Street, is the Taj Mahal restaurant. The application site's use has been to serve as a car park serving the restaurant. It has an area of 0.05 hectares.
- 1.2 Station Way is one way at this point, with three westbound lanes. There are traffic lights, a pedestrian crossing and traffic island to the north of the application site. The southern vehicular lane on Station Way turns to provide access southwards along the High Street, over the railway level crossing and then onwards to Brighton Road. The two northern vehicular lanes turn northwards up the High Street and lead onto other parts of the town centre. There is also a cycle lane in the middle of Station Way, which provides access to advanced stop lines for travel in both directions at the High Street junction.
- 1.3 To the south of the site is the Crawley to Horsham railway line, with a Network Rail owned strip of land between application site and the railway line itself. This Network Rail land contains a telecommunications mast. The Taj Mahal restaurant and the service yard for Asda supermarket lie to the west. There are commercial premises and flats to the north across Station Way.
- 1.4 The railway signal box to the south west is a Grade II listed building and the Brighton Road conservation area lies to the south of the railway line. The application site lies within an Archaeological Notification Area based upon the settlement of Medieval Crawley.
- 1.5 The site is within a defined railway buffer area that extends 10m from the railway land along the length of the line. The site is shown on Council records as being potentially contaminated. The site lies within the Local Plan's Town Centre boundary and within a Priority Area for a District Energy Network. It also lies within the Long Distance View Splay from Tilgate Park.

THE PROPOSED DEVELOPMENT:-

- 2.1 Outline planning permission is sought for redevelopment of the site to form a mixed use residential and commercial scheme. Access, appearance, layout and scale are to be approved at this stage, with only landscaping reserved for future consideration.
- 2.2 The building would contain 15 flats (8 one bed and 7 two bed) within a five storey building at its eastern end, dropping to four, then three, then single storey towards the level crossing. The ground floor would contain 95.3 square metres of commercial (Class E) floorspace. No vehicle parking is proposed on site, with a single, shared surface loading bay shown on the public highway to the north. The proposed building almost entirely covers the site. The submitted drawings misleadingly show the land to the south as a 'Proposed Landscaped Area.' This land is not within the applicant's control, it is owned by

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Network Rail and part of the adjoining Station Gateway development. Residents of the proposed development subject of the current application would have no access to this land.

2.3 In support of the application, the applicant has submitted the following documents:

- Planning Statement/Design and Access Statement (August 2021)
- Built Heritage Statement (July 2020)
- Archaeological Report (August 2020)
- Sustainability and Energy Statement (June 2020)
- Arboricultural Report (July 2020)
- Transport Statement (June 2020)
- Delivery and Servicing Plan (June 2020)
- Preliminary Risk Assessment Report (June 2020)
- Viability Assessment (July 2020)
- Air Quality Assessment (June 2020)
- Noise and Vibration Impact Assessment (August 2020)
- Drainage Strategy and SUDS Appraisal (August 2020)

2.4 The location plan fails to accurately show the application site as it does not include the proposed loading bay. However, notice has been served on West Sussex County Council Highways team, as landowner, and it is not considered that the applicant is prejudiced by considering the application as it stands.

2.5 The Planning Committee refused a previous similar scheme on this site in 2021. In response to the refusal, the current proposal incorporates a number of amendments. The applicant states that the amendments have:

- *“Rearranged the ground floor bedrooms away from north elevation*
 - *Placed kitchens against north elevation instead of ground floor units.*
 - *Remove ground floor windows from the residential units and re-orient habitable rooms towards south elevation; replace with green wall on ground floor north elevation.*
- *Moved the communal lobby to the north elevation*
- *Green wall added on the east and west elevation walls, as well as along ground floor of north elevation.*
- *Changed balcony doors to sliding doors, in line with comments from the previous case officer.*
- *Additional cycle stands in front of proposed commercial unit. As well as the internal cycle parking provision, there is now a total of 38 total bike stands.*
- *Re-orient the west end balconies on first floor and second floor to face south-west instead of north-west. Additional green wall is also provided where the balcony voids were previously located.”*

PLANNING HISTORY:-

3.1 CR/2020/0589/OUT – Outline application for the redevelopment of car park to form mixed use residential with indicative 15 units and commercial scheme. Refused 13 January 2021 for the following reasons:

1. The proposed development, by reason of its site coverage, layout, scale, massing, relationship to adjoining sites and proximity to Station Way, represents substantial overdevelopment of the site and is contrary to policies CH2 and CH3 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
2. The proposed development, by reason of its siting, design, massing, scale and external appearance, would form a dominant and unattractive building that would fail to respect the existing or proposed Station Way streetscene. There would be no opportunity to soften the building through the use of landscaping and its set back from the Station Way carriageway is totally inadequate. It represents a wholly unacceptable form of development and is contrary to policies CH2 and CH3 of the Crawley Borough Local

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Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.

3. The proposed development, by reason of the orientation of the flats and their amenity space, together with their proximity to Station Way, would suffer an unacceptable loss of privacy, provide extremely poor outlook and provide inadequate natural light and sunlight to windows and balconies. As such, the proposal would fail to create a satisfactory residential environment for future residents contrary to policies CH3 and CH5 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
4. The applicant has provided insufficient evidence to demonstrate to the satisfaction of the Local Planning Authority that the occupiers of the proposed noise sensitive residential (C3) development would not suffer significant disturbance and be harmed by noise from nearby road and railway sources. The applicant has also failed to demonstrate that acceptable mitigation can be put in place to address these significant noise concerns. The proposed development is therefore contrary to policy ENV11 of the Crawley Borough Local Plan, the National Planning Policy Framework and the Noise Policy Statement for England.
5. The proposed development would have an unacceptable and overdominant relationship to the development proposed on the adjoining allocated Station Gateway site and would dominate and overlook the landscaping area to the south. It fails to take a comprehensive approach to development in this area. The proposal is contrary to policies CH2, CH3 and CH4 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
6. The proposed development, with its lack of on-site vehicle parking, below standard cycle parking and reliance on a single loading bay, fails to provide for the vehicular traffic that it would generate. Insufficient evidence has been submitted to demonstrate that the proposed servicing arrangements could operate satisfactorily without adversely affecting either the free flow of traffic along Station Way and over the level crossing or the safe movement of passing pedestrians and wheelchair users. The applicant has failed to demonstrate that the proposal would not affect the safe and acceptable operation of the nearby railway level crossing. The proposal is therefore contrary to policies IN1, IN3 and IN4 of the Crawley Borough Local Plan, the parking standards set out in the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
7. The applicant has failed to demonstrate that the proposed residential refuse and recycling arrangements would be suitable to enable the development to meet its own operational needs, taking into account the orientation of the store, the required container sizes and the travel distance to the loading bay. The proposal is thus contrary to policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.
8. The proposal would not make any provision towards affordable housing, despite the significant and demonstrated need in Crawley. Non-viability of the scheme has not been demonstrated. The proposed development is therefore contrary to policy H4 of the Crawley Borough Local Plan 2015-2030, the Affordable Housing Supplementary Planning Document and paragraph 64 of the National Planning Policy Framework.
9. An agreement is not in place to ensure that the appropriate contributions for tree planting and open space are secured. The development is therefore contrary to policies CH6, ENV5, and IN1 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure Supplementary Planning Document.
10. The proposed development, by reason of its location, proximity, siting, bulk and massing, would adversely affect views of and the setting of the Grade II listed signal box, the locally listed Nightingale House and the Brighton Road conservation area contrary to policies CH12, CH13, CH14 and CH15 of the Crawley Borough Local Plan 2015-2030.

3.2 The subsequent appeal was dismissed on 24 November 2021. The Inspector stated:

"41. I have concluded that the proposal would be contrary to development plan policies relating to design, character and appearance, the living conditions of future occupiers, highway safety, open space, and trees. Notwithstanding those matters where I have not found conflict with the development plan, including in relation to the historic environment, the range and extent of conflicts is such that the proposal should be regarded as being in conflict

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with the development plan as a whole. This conclusion would be the same whether or not the absence of affordable housing was found to be justified on viability grounds.

42. I have had regard to the fact that the proposal would deliver new housing and commercial floorspace, making more effective use of land in an accessible location on the edge of the town centre. However, this does not outweigh the conflict with the development plan that I have identified. Accordingly, the appeal should be dismissed.”

3.3 Whilst the Inspector did not support the Council's reasons for refusal on heritage or safety in relation to the railway crossing, he supported the conclusions on every other issue raised in the ten reasons for refusal set out above.

3.4 Although the issue arose after the appeal had been lodged, the Inspector also supported the Council's view that the proposal was unacceptable on water neutrality grounds. He stated:

“Natural England's position statement was issued quite recently so this matter has not been addressed in the application documents or in the appeal documents. Nevertheless, as this matter is now at appeal, I am the competent authority for the purposes of the Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations). It appears to me that, in the absence of mitigation measures, I cannot exclude the possibility that this proposal would have a significant effect on the Arun protected sites, either alone or in combination with other plans and projects.”

3.5 There is little other planning history on the site, with the following two applications being the only recent ones:

- **CR/2017/0593/FUL** – Installation of mobile hot food takeaway van. Two year temporary permission granted 1 September 2019.
- **CR/2014/0739/FUL** – Installation of a self-contained coffee outlet based within a converted 6m ISO shipping container. Two year temporary permission granted 29 January 2015.

3.6 The adjoining Overline House/Station Gateway site to the east has the following relevant planning history:

- **CR/2019/0602/ARM** – Approval of reserved matters pursuant to CR/2016/0294/OUT for residential led mixed use redevelopment (multi deck car park removed from scheme). Current undetermined application.
- **CR/2016/0294/OUT** – Outline application (All matters reserved) for demolition of existing office building and integrated railway station building, footbridges and ancillary structures. Erection of 308 studio, 1, 2 and 3 bedroom residential apartments and associated parking (C3 use class); integrated railway station building, footbridges and ancillary structures; flexible use retail/coffee shop/business centre (A1/A3/B1 use classes); 120 space multi-deck station car park, vehicle drop-off lay-by and associated highway works and public realm enhancements. Approved following completion of S106 agreement 16 August 2016.

PLANNING POLICY:-

National Planning Policy Framework (July 2021)

4.1 The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that achieving sustainable development means the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are economic, social and environmental.

4.2 Section 4 – ‘Decision Making’ states that Local Planning Authorities (LPAs) should approach decisions on proposed development in a positive and creative way. It also recommends that applicants should take advantage of pre-application discussions. Paragraph 47 confirms the statutory requirement for decisions to be made in accordance with the development plan and as quickly as possible. Local Planning Authorities should consider whether development can be made acceptable

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through conditions or obligations. Paragraph 58 states that where up-to-date policies have set out the contribution expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. All viability assessments should be made publicly available.

- 4.3 Section 5 – ‘Delivering a sufficient supply of homes’ emphasises the need to boost housing supply and for the planning system to deliver a sufficient supply of homes, including affordable housing. Paragraph 63 states that, where a need for affordable housing is identified, policies should specify the type required and expect it to be met on-site unless alternative contributions can be robustly justified or an agreed approach creates mixed and balance communities. Paragraph 65 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
- a) provides solely for Build to Rent homes;
 - b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 - c) is proposed to be developed by people who wish to build or commission their own homes; or
 - d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- 4.4 Section 6 – ‘Building a strong, competitive economy’ states that planning decisions should allow businesses to invest, expand and adapt. Section 7 – Ensuring the vitality of town centres highlights the role that town centres play at the heart of communities.
- 4.5 Section 8 – ‘Promoting healthy and safe communities’ seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible so that crime and disorder and fear of crime do not undermine quality of life and enable and support healthy lifestyles. Planning policies and decisions should promote public safety and take into account wider security (and defence) requirements.
- 4.6 Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations. Paragraph 112 states that applications for development should give priority first to pedestrian, cycle and public transport movements, address the need of people with disabilities in relation to all transport, create safe, secure and attractive places avoiding conflict between different transport users, allow for efficient delivery of goods, and access by service and emergency vehicles and be designed to enable charging of plug-in vehicles.
- 4.7 Section 11 – ‘Making effective use of land’ states in paragraph 119 that *“Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.”* The redevelopment of underutilised land and buildings is encouraged, and LPA’s should take a positive approach to alternative uses of currently developed land which is not allocated for a specific purpose to meet identified development needs. Paragraphs 124 and 125 seek to ensure efficient use through achieving appropriate densities on each site.
- 4.8 Section 12 - ‘Well designed places’ states that good design is a key aspect of sustainable development and that the planning and development process should achieve the creation of high-quality buildings and places. Paragraph 130 states:
“Planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

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- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

4.9 Section 15 – Conserving and Enhancing the Natural Environment. Paragraph 174 states that development should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Paragraph 180 states *“opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity.”* Paragraph 185 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

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

4.10 The Development Plan for Crawley is the Crawley Borough Local Plan 2015–2030 (adopted December 2015). The following Local Plan policies are relevant to this application:

- Policy SD1: Presumption in Favour of Sustainable Development. This overarching policy states that there will be a presumption in favour of sustainable development. Development will be supported when it complements Crawley’s character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the use of sustainable travel. Development will be supported where it respects the heritage of the borough and protects, enhances and creates opportunities for Crawley’s unique green infrastructure and accords with other policies and objectives unless material considerations indicate otherwise.
- Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places. In particular development proposals will be required to:
 - “(a) respond to and reinforce locally distinctive patterns of development and landscape character and to protect and/or enhance heritage assets,*
 - (b) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas,*
 - (c) create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society including disabled and elderly people,*
 - (d) make places that connect with each other and are easy to move through,*
 - (e) provide recognisable routes, intersections and landmarks to help people find their way around,*
 - (f) consider flexible development forms that can respond to changing social, technological and economic conditions,*
 - (g) provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs”.*
- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate “Secure by Design” principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
- Policy CH4: Comprehensive Development and Efficient Use of Land. Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.

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- Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, based on the Nationally Described Space Standards, and be capable of adaption through meeting Building Regulations Part M Category 2. Residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements.
- Policy CH6: Tree Planting and Replacement Standards. Landscape proposals for residential development should contribute to the character and appearance of the town by including at least one new tree for each new dwelling, of an appropriate species and planted in an appropriate location. If on-site provision is not feasible or desirable, commuted sums will be sought in lieu.
- Policy CH8: Important views requires that the important views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The site is within the Long Distance View Splay from Tilgate Park.
- Policy CH12: Heritage assets states that all development should ensure that Crawley's designated and non-designated heritage assets are treated as a finite resource, and that their key features or significance are not lost as a result of development.
- Policy CH13: Conservation Areas states all development within a conservation area should individually or cumulatively result in the preservation or enhancement of the character and appearance of the area. A Heritage Impact Assessment should be submitted in support of proposals. The policy also states that there may be structures within conservation areas that do not contribute positively, for which a case for demolition will be considered on a case-by-case basis.
- Policy CH15: Listed Buildings and Structures requires works to listed buildings to be consistent with their character, appearance and heritage value. A Heritage Impact Assessment should be submitted to demonstrate how listed buildings will be protected.
- Policy EC1: Sustainable Economic Growth. Crawley's role as the key economic driver for the Gatwick Diamond will be protected and enhanced. To ensure that Crawley's recognised economic role and function is maintained and enhanced the council will: i) Build upon and protect the established role of Manor Royal as the key business location (B Use Classes) for Crawley at the heart of the Gatwick Diamond; and ii) Ensure that the town's Main Employment Areas are the focus for sustainable economic growth.
- Policy EC4: Employment Development and Residential Amenity seeks to ensure that residential development within Main Employment Areas does not constrain the economic function of the area.
- Policy EC6: Development Sites within the Town Centre Boundary states that sites within the Town Centre boundary provide an important opportunity to promote town centre viability in a sustainable location through mixed use development that meets the economic and housing needs of the borough.
- Policy EC7 (Retail and Leisure Development outside the Primary Shopping Area) sets out the approach, taking the NPPF Town Centre First principle, by which edge or out-of-centre proposals will be assessed.
- Policy H1: Housing Provision. The council will positively consider proposals for the provision of housing to meet local housing need ensuring against town-cramming or unacceptable impact on the planned character or neighbourhoods or residential amenity.
- Policy H2: Key Housing Sites. This policy encourages residential uses in the town centre, identifying the area as a broad location for housing.
- Policy H3: Future Housing Mix. All housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme. However, consideration should be given to the evidence established in the Strategic Housing Market Assessment and its updates for market housing needs and demand in Crawley.
- Policy H4: Affordable and Low Cost Housing. 40% affordable housing will be required from all residential developments. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first-time buyers.
- Policy ENV2: Biodiversity. All development proposals will be expected to incorporate features to encourage biodiversity where appropriate.

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- Policy ENV5: Provision of Open Space and Recreational Facilities. The impact of the increased population from residential development on open space and recreational facilities across the Borough will be mitigated by the use of the Community Infrastructure Levy which will be used to enhance existing areas of open space. This policy requires development to make provision for open space and recreational facilities.
- Policy ENV6: Sustainable Design and Construction. In order to maximise carbon efficiency, all homes will be required to meet the strengthened on-site energy performance standards of Building Regulations and any subsequent increased requirements along with the water efficiency standards.
- Policy ENV7: District Energy Networks requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- Policy ENV8: Development and Flood Risk. Development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV9: Tackling Water Stress. New dwellings should where viable and technically feasible, meet the Building Regulations' optional requirement for tighter water efficiency.
- Policy ENV10: Pollution Management and Land Contamination. Where a site is known or suspected to be at risk from contaminants or materials that present a hazard to health, information must be provided detailing the methodology through which risks will be addressed, and ensuring the treatment and/or removal of all such contaminants and materials prior to the commencement of development.
- Policy ENV11: Development and Noise advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.
- Policy IN1: Infrastructure Provision. Development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2: Strategic Delivery of Telecommunications Infrastructure states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- Policy IN3: Development and Requirements for Sustainable Transport. Development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network. Developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety.
- Policy IN4: Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the Borough Council's car and cycle parking standards. Car parking standards for residential development are based on the accessibility of the area, the levels of car ownership, and the size of any new dwellings.

Noise Policy Statement for England

- 4.11 Also relevant as a material consideration is the Noise Policy Statement for England (2010). This sets out the Government's vision to:

"Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development."

- 4.12 The Noise Policy Statement goes on to state the three national Noise Policy Aims:

"Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:"

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- *avoid significant adverse impacts on health and quality of life;*
- *mitigate and minimise adverse impacts on health and quality of life; and*
- *where possible, contribute to the improvement of health and quality of life.”*

Planning Practice Guidance

4.13 The Planning Practice Guidance provides further advice and states in paragraph 008:

“For noise sensitive developments mitigation measures can include avoiding noisy locations; designing the development to reduce the impact of noise from the local environment; including noise barriers; and, optimising the sound insulation provided by the building envelope. Care should be taken when considering mitigation to ensure the envisaged measures do not make for an unsatisfactory development.”

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

4.14 The Local Plan Review 2021-2037 was published for Regulation 19 consultation between 6 January and 30 June 2021 and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CL1: Neighbourhood Principle
- Policy CL2: Making Successful Places - Principles of Good Urban Design
- Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
- Policy CL4: Compact Development – Layout, Scale and Appearance
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy DD3: Standards for All New Dwellings (including conversions)
- Policy DD4: Tree Replacement Standards
- Policy HA1: Heritage Assets
- Policy HA2: Conservation Areas
- Policy HA4: Listed Buildings and Structures
- Policy OS2: Provision of Open Space and Recreational Facilities
- Policy IN1: Infrastructure Provision
- Policy IN3: Supporting High Quality Communications
- Policy EC1: Sustainable Economic Growth
- Policy EC2: Economic Growth in Main Employment Areas
- Policy H1: Housing Provision
- Policy H3: Housing Typologies
- Policy H3b: Densification, Infill Opportunities and Small Sites
- Policy H3c: Town Centre Residential Sites
- Policy H4: Future Housing Mix
- Policy H5: Affordable Housing
- Policy GI3: Biodiversity and Net Gain
- Policy SDC1: Sustainable Design and Construction
- Policy SDC2: District Energy Networks
- Policy SDC3: Tackling Water Stress
- Policy EP3: Land and Water Quality
- Policy EP4: Development and Noise
- Policy EP5: Air Quality
- Policy EP6: External lighting
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

Supplementary Planning Documents

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

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Urban Design SPD (2016)

- 4.16 This SPD includes further guidance, examples and explanation of the principles of good urban design and public realm design.
- 4.17 In relation to massing and materials it advises that buildings within the urban realm should work harmoniously and complement each other and that “*All new elements within the urban realm should consider the scale and materiality within their immediate context, as well as the overall character of their setting*”. The document explains that building heights in Crawley have been dictated by the history of the town and new development should show consideration to the scale and massing of its immediate surroundings. Proposals should consider existing and important views, relationship to human scale, possible wind tunnels, overshadowing and existing trees/hedges.
- 4.18 The SPD states that developments should consider how the immediate space around them may be occupied/developed in the future and accommodate any potential development.
- 4.19 The SPD includes minimum rear window to window distances (21 metres for two storeys and 30 metres for three storeys or more), the minimum distance between a blank gable and rear of an adjacent building and outdoor amenity space standards.
- 4.20 In respect of multi-dwelling residential development (flats) the SPD seeks a *minimum of 5sqm of private outdoor space, where the smallest dimension is not less than 1500mm, is provided for 1 to 2 person flats plus an extra 1sqm for each additional occupant. For apartments and flats, a useable private space should also be provided for residents. While balconies provide a good solution, they may not be appropriate in all contexts and a semi-private outdoor, communal space may be suitable*. Guidance is given on the shape, orientation, privacy, layout and position of amenity space provision. Detailed advice is provided to ensure that flatted developments are integrated into the community. The SPD states “*Elements of the design, such as entrances, public and private spaces and routes through should be clear and easy to navigate. The scale, massing and form of the development should relate to the surrounding area. The openings on the façades should reflect the local vernacular in proportions and a balance should be achieved between solid walls and window/door apertures. The roof design should be considered during the initial design stage and not left to the end to be resolved. Details and decorations are encouraged in residential developments, as they will create more character and visual interest. The materials used can often help with creating such details and decorations with little other effort – for example, a change in material within the elevation can help break up the mass of a building. Flatted developments, in particular those with multiple buildings, should endeavour to provide visual interest through a variation in the elevational treatment. Parking provisions should meet the recommendations set in Annex 1.*”
- 4.21 It also includes the Crawley minimum car parking standards. For 1 bed and 2 bed flats in this location, the minimum standards are 1 car parking space per dwelling. Regarding cycle parking it is stated that: “*All cycle parking must be sheltered and secure and in accordance with local guidance and best practice design. For one bed dwellings: One space per dwelling and 1 space per 8 dwellings for visitors will be required. For two bed dwellings or more: 2 spaces per dwelling and 1 space per 8 dwellings for visitors will be required*”.

Green Infrastructure SPD (2016)

- 4.22 This SPD provides guidance on how to meet the requirements of Local Plan Policies in relation to Crawley’s Green Infrastructure assets. It provides further guidance on Policy CH6: Tree Planting and Replacement Standards. This document includes a costing of £700 per tree in lieu of on-site planting. It also sets out the open space standards and costings. The document also links to the Urban Design SPD in respect of considering landscaping as part of high quality design.

Town Centre SPD (2016)

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

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Planning and Climate Change SPD (2016)

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

Affordable Housing SPD (adopted November 2017)

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

Brighton Road Conservation Area Statement (adopted April 2018)

- 4.26 This Statement identifies the northern part of conservation area as forming a key gateway into the town centre. It states that the area immediately south of the level crossing:

“significantly contributes to the overall townscape value of Crawley, providing a historic entrance to the town centre. There are four important ‘focal’ buildings – the Listed signal box, the locally listed Nightingale House, the Imperial Cinema and the Railway Hotel – which together provide the Conservation Area with its most notable group of historic buildings.”

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

Crawley Community Infrastructure Levy Charging Schedule 2016

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

Developer Contributions Guidance Note (published July 2016)

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

PLANNING CONSIDERATIONS:-

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

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

Principle of proposed development

- 5.2 The site lies within the Town Centre boundary defined by the Local Plan, but outside the Primary Shopping Area. The Local Plan recognises Crawley town centre as a sustainable and accessible location for a mix of uses, including residential and commercial. Policy H2 identifies the town centre boundary as a broad location for housing and one of the allocated Town Centre Key Opportunity Sites (Crawley Station and car parks) lies immediately to the east. The proposed residential use would

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introduce activity to this part of the town centre throughout the day, including in the evenings, and could aid the vitality of the surrounding area. The principle of residential use of the site therefore seems acceptable and in accordance with national and local planning policy, although a number of significant and detailed concerns are set out below. The Inspector for the recent appeal raised no objection to the proposed uses.

- 5.3 The application proposes a 34sqm coffee shop and a 55sqm commercial unit on the ground floor. Although no sequential justification is provided for these, the application site is edge of centre and near to other main town centre uses in the High Street and Brighton Road. The Strategic Planning team has commented that Class E commercial uses broadly fall within the definition of Main Town Centre uses. They state that other nearby commercial uses and the scale of development proposed *“does not give rise to concerns of a significant negative impact on the town centre. The site is well connected to the Primary Shopping Area, and the presence of a limited amount of ground floor commercial is likely to generate activity in this part of the town centre, adding to its overall vitality and viability.”* On this basis, the ground floor commercial use is also considered acceptable in principle.
- 5.4 Despite the acceptability of the proposed uses, the development represents coverage of almost the entire site. On most sites, that level of development and site coverage would be totally unacceptable and this site is no exception. The applicant has had the benefit of pre-application planning advice, a previous refusal and the Inspector’s views in dismissing the appeal. Despite this, minimal change has been made to the proposal and it remains of extremely poor quality.
- 5.5 For the reasons set out below in more detail, the scheme would fail to create a satisfactory impact upon to the streetscene and would form a cramped and unacceptable form of development. There is an existing planning policy allocation and planning permission for development of the adjoining site to the east for 300 flats. The proposed development could prejudice that development coming forward, by virtue of its poor relationship to the proposed adjoining scheme. There is also a small area of land to the south which would be rendered undevelopable by the proposal. The scheme fails to take a comprehensive view or to consider adjoining sites. The excessive site coverage and the failure to reflect and satisfactorily address adjoining sites to the south and east is wholly unacceptable. As a result, and for the detailed reasons set out below, development in the form proposed is considered to be overdevelopment and therefore unacceptable.

Design and heritage

- 5.6 Detailed approval is sought for access, appearance, layout and scale as part of this outline application. The application includes elevation drawings and floor plans.
- 5.7 Station Way and the application site are not particularly attractive at present. Much of the south side of Station Way is used for surface car parking and the landscaping is fairly poor. Station Way though is a key focal point for regeneration in Crawley as part of the Growth Programme. Outline permission for 300 flats and a revitalised railway station has been granted and supporting major public realm improvements along Station Way have secured public funding. The intention is to transform the area into a more attractive and welcoming gateway to the town.
- 5.8 The proposed building would project forward of the adjoining Station Gateway proposal by approximately five metres. This would expose the majority of its five storey, windowless side elevation to anyone approaching from the east along Station Way. The bulk, dominance and lack of design interest of this elevation, together with the proposed building’s prominent location, is considered unacceptable in urban design and streetscene terms. To the rear, the building would sit hard on the boundary of an area of land currently proposed to be used as communal outdoor space for the adjoining Station Gateway development. The scheme’s relationship with both adjoining sites is very awkward, reflecting the excessive site coverage proposed.
- 5.9 The proposed five storey block would almost fully cover the application site and its walls would be located directly against the back edge of the Station Way pavement. The minimal space remaining along Station Way would need to be made available for use by pedestrians using or passing the site. The building would have a dominant impact upon this part of Station Way, as recognised by the Inspector for the recent appeal, who stated:

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“To my mind the five storey block would appear as a very dominant structure, creating an enclosed and uncomfortable environment for pedestrians, with little space between the new block and the three traffic lanes on Station Way. Seen from further along Station Way, the eastern flank elevation would be particularly prominent, due to its position so close to the road. This would be the case whether or not the Station Gateway proposals come to fruition. It would not be an attractive feature, being a blank five storey elevation unrelieved by any fenestration or other architectural details, other than some variation in brick colour.”

- 5.10 The revisions made to the scheme in the current application have not altered the building's siting, bulk, massing or height. The excessively dominant relationship of the proposal to Station Way and the pavement remains unacceptable, despite the minor design revisions made in the current application.
- 5.11 There would be no opportunity for substantial landscaping around the building. The revised proposal does include proposed green walls in a panel from first to fifth floors on the west elevation, two panels from first to second floors on the west elevation and five ground floor panels on the north elevation. No details have been provided on how the green walls would be implemented, planted, irrigated and maintained. Successful green walls are difficult to achieve and these do not appear to involve planting within the ground. In this case, the north facing ground floor panels would receive no direct sunlight, two would be under the building's proposed overhang and they would face traffic fumes from Station Way. It seems highly unlikely that any vertical planting would be successful. The east facing, four storey may receive some sunlight, but it would be heavily overshadowed once the Station Gateway scheme is implemented. The applicant has provided no evidence to demonstrate that the green walls could be implemented successfully. In any case, even if the green walls were to soften the elevations slightly, they would do nothing to address the unacceptable dominance of the block in the streetscene. The overall lack of substantial vegetation, such as tree planting, would exacerbate the poor quality and dominant elevations and offer no softening or relief to the scheme. This would be unacceptable, particularly in a prominent and busy location like this.
- 5.12 The green wall panels on the north side of the building have resulted from the removal of ground floor windows for amenity reasons. Consequently, other than two doors to enter the flats, this elevation is blank at ground level. This would create a poor environment for pedestrians and fail to achieve an active frontage.
- 5.13 The detailing of the revised proposal remains very poor. As with other aspects of the scheme, revisions to address one previous area of concern have simply raised other new concerns. On the north elevation, for instance, windows and balconies have been removed to address privacy and disturbance to residential occupiers. The consequence though is that the north elevation, which was already poorly designed, now has fewer windows, no balconies and even less visual interest. The proposed windows seem to have no significant recess from the brickwork. This, combined with the siting on the back of the pavement, would create claustrophobic and an unacceptably flat/flush north elevation. The proposed roller shutter doors to the bin and cycle stores, whilst potentially addressing concerns about opening over the pavement and blocking its use, would create a poor quality blank appearance reminiscent of a service yard. Overall, the elevations are plain, unattractive and offer little relief or design quality.
- 5.14 The Council's Urban Designer objects to the current revised proposal, as he did to the earlier scheme. He raises concerns about overdevelopment and town cramming, lack of active frontage, no transition between public and private areas through some defensible space, the unlikelihood of the green wall being successful and the poor relationship to the Station Gateway proposals.
- 5.15 The site is in a sensitive location in heritage terms. The Brighton Road conservation area lies immediately to the south of the railway and the nearby signal box is a Grade II listed building. Nightingale House is a locally listed building. The site, whilst not particularly attractive, is open and has no above ground development. It is currently screened in views from south of the railway by the low level vegetation on the land between the site and the railway. Clearly the relationship would change if the proposed development were to proceed. The Inspector for the recent appeal did not support the previous heritage reason for refusal. The Council's Heritage consultant does object to the proposal though and considers that it would cause 'less than substantial' harm on heritage assets. Whilst officers do not consider that a heritage reason for refusal could be defended at appeal, the

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'less than substantial' harm adds to wider concerns about the poor design and its harmful impact upon the streetscene.

- 5.16 The site lies within the Long Distance View Splay from Tilgate Park. The five storey height though would be viewed in the context of the town centre though and would not have a significant impact upon the long distance view.
- 5.17 Overall, the proposed scheme's layout, appearance, design, detailing and scale, despite the revisions made to the earlier proposal, remains extremely poor and totally unacceptable in this location. Refusal is recommended on this basis.

Housing mix and residential amenity for future occupants

5.18 The proposal would comprise seven 1 bedroom (1 person) flats, one 1 bedroom (2 person) flats and seven 2 bedroom (3 person) flats. Policy CH5 of the Crawley Borough Local Plan 2015-2030 states that the minimum size of all dwellings should equate to the Nationally Described Space Standards. These state that the gross internal floor area of a 1 bedroom 1 person unit should be at least 39 sqm, a 1 bedroom 2 person unit should be at least 50 sqm and a 2 bedroom 3 person unit at least 61 sqm. All of the units proposed would meet these floor areas. The proposal includes a mix of unit sizes. Although focussed on smaller units for 1-2 people, there are some larger, potentially family sized, units and the proposed mix is considered to accord with local policy.

5.19 Each flat would have a recessed balcony or roof terrace. These would comply with the minimum space requirements. The scheme has been amended since the previously refused scheme, so that all balconies/terraces are now on either the south or west elevations and would probably benefit from some direct sunlight despite being recessed. However, the south facing balconies would be located on the southern boundary of the site, directly adjoining the proposed Station Gateway communal garden and around nine metres from the railway line. They would be likely to suffer railway related disturbance and, for the two at ground floor level, sunlight could be blocked by the boundary treatment of the site immediately to the south. The amendments to the west facing terraces should ensure that they receive direct sunlight in the afternoon. Unfortunately, the west and south facing balconies would all be likely to suffer noise disturbance from the road, level crossing and railway. The Inspector for the recent appeal commented:

"The ambient noise level is well above the guideline figure for external open space. The noise assessment suggests that some attenuation could be achieved, through the use of solid balustrades. However, there are no such balustrades on the application drawings. Creating solid balustrades could adversely affect the appearance of the building, reduce natural light and make the recessed balconies feel even more enclosed. This is not a matter that should be controlled by a condition because the effects of the suggested mitigation are uncertain. I therefore attach limited weight to this suggestion and conclude that the external amenity areas would have limited amenity value because of the level of ambient noise that they would be subject to."

5.20 Whilst the revised scheme has addressed the Inspector's concerns about the north facing balconies, it has exacerbated the concerns about the south facing balconies in respect of railway noise and overlooking the proposed communal garden. Overall, despite meeting the minimum size requirements, the proposed outdoor private amenity space is considered to be of poor quality and to be contrary to Policies CH5 and ENV11 of the Local Plan and the content of the Urban Design SPD.

5.21 The proposal has been revised to address the previous concerns about the relationship of north facing habitable room windows to the pavement and traffic on Station Way. The Inspector for the appeal was clear that this relationship was unacceptable. The revisions eliminate ground floor windows on the north elevation. The two ground floor units would now be single aspect and south facing. For the south facing windows on the previous scheme, the Inspector commented:

"The windows and recessed amenity areas on the south side would be very close to the site boundary. Under current site conditions they would be hemmed in by tall fencing, trees and vegetation. If the Station Gateway development goes ahead, they would be liable to be obstructed by whatever boundary treatment or planting is included within the proposed

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communal garden. In either scenario, the windows and recessed amenity areas would have a poor outlook and are likely to have limited natural light.”

- 5.22 Although north facing ground floor windows have been taken out of the scheme, the revisions mean that all ground floor windows and balconies would continue to suffer the unacceptable relationships identified by the Inspector. The applicant has no control over the boundary treatment or landscaping that might be retained or proposed for the communal garden. Clearly a solid boundary fence at two metres high and/or a line of vegetation would significantly enclose and overshadow the windows and balconies, even above ground floor level, which would be only 20-50 cm from the boundary. This could seriously restrict the natural light reaching the two ground floor flats and no BRE Daylight/Sunlight assessment has been submitted to demonstrate the acceptability of this aspect of the scheme. The ground floor units are also likely to suffer significant adverse impact through the operation of the plant room, refuse and cycle stores, including use of their mechanical roller shutter doors. One ground floor flat wraps around the bin store and is adjacent to the commercial unit and its bin store, the plant room and the lift. It seems likely to suffer considerable disturbance as a result.
- 5.23 On the upper floors, four bedrooms remain single aspect and north facing. No evidence has been submitted to show that these would benefit from adequate natural light and their outlook would be onto the busy Station Way.
- 5.24 Outlook from most flats would be poor, with the lower levels suffering particularly badly. The building would be located at the back of the pavement, offering no separation distance or scope for landscaping between the building and Station Way. Station Way at this point is busy and frequently the subject of queuing traffic due to the traffic lights and level crossing. To the south is an outlook onto a currently poorly landscaped area of land containing a telecommunications mast, with the railway beyond. Although the landscaped area may be improve as part of the Station Gateway proposals, the flats would generally suffer from an extremely poor outlook and lower units would probably gain little natural light. The proposal remains unacceptable on residential amenity grounds.

Impact upon neighbouring properties

- 5.25 There are existing residential properties to the north on the opposite side of Station Way in Bastable House. These have some south facing windows. These windows would be approximately 18 metres from the proposed building at the nearest point. The proposal would be three storeys high at this point. Although the distance falls below the 30 metre distance that would normally be sought between windows for buildings of this height, the relationship is across a busy street and there are similar relationships between residential properties in the vicinity. Some overlooking and possible overshadowing may result but, in this location, is not considered sufficient to warrant refusal.
- 5.26 To the south is the Railway public house, which has flats above. The distance between existing and proposed windows would be 23 metres. These are probably secondary windows to the flats and any views would be across the railway line. The proposal, as it lies to the north, would not overshadow The Railway public house. The relationship is considered satisfactory in residential amenity terms.
- 5.27 It is possible that residential use occurs on the first floor of the Taj Mahal restaurant, although the lawfulness of that has not been established. The window to window distance would again be around 23 metres and the relationship is considered similar to others in the vicinity.
- 5.28 The proposed Station Gateway development site lies immediately to the east. It has outline planning permission and there is a current undetermined Reserved Matters application for the block adjoining the current application site. The east elevation of the proposed building would have no windows. The proposed adjoining Station Gateway building would have side windows (to rooms primarily facing north), the nearest of which would be around four metres from the blank side wall of the proposal. Although these side windows are secondary in nature, the side elevation of the proposal, due to its height and projection forwards, would be visually dominant upon these flats and would block afternoon sunlight. The other side windows in the Station Gateway scheme would face onto the land between the current application site and the railway. This is proposed to form a communal garden for the Station Gateway residents. Although angled views may be possible between the current proposal and the Station Gateway building, this should not result in direct or unacceptable levels of overlooking.

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- 5.29 However, the proposed south facing windows over five floors would directly overlook the proposed communal garden area to the south. Whilst less privacy can be expected in a communal garden, its users would certainly feel themselves overlooked. The Inspector for the recent appeal agreed with this concern, stating:

“The proposed building would be very close to the boundary of this space. It would have a cramped and awkward relationship with any boundary enclosures, planting or other features that might reasonably be expected here. The scale of the south elevation would dominate the garden area, making it a less attractive space for future occupiers of Station Gateway to use.”

In revising the previous scheme to address concerns about internal layout and residential amenity, the applicant has introduced a significant number of additional habitable room windows to the south elevation. These would further exacerbate the dominant and overlooking nature of the relationship of the proposed block to the proposed garden area to the south. The applicant's revisions have actually worsened this relationship.

- 5.30 Overall, the proposed development is considered to have a satisfactory relationship to existing neighbouring buildings in terms of overshadowing and overlooking. However, it has not been designed to properly take account of the proposed development on the allocated site to the east or the proposed garden area for the separate adjoining Station Gateway scheme to the south.

Highways, parking and operational requirements

- 5.31 The proposed scheme would provide no on-site vehicle parking. The Local Highway Authority raises no objection to the revised scheme. They consider it to be an accessible location and do not consider that the lack of vehicle parking raises highway safety issues, although state that the Local Planning Authority should further assess the impact of this. They confirm that there are parking restrictions in place on nearby roads.
- 5.32 A loading bay would be provided on the public highway to the north of the site, in a shared surface arrangement with the pavement. A small commercial bin store would be located immediately adjacent to the loading bay. This would house one container only, so makes no provision for recycling. A residential bin store is also proposed adjacent to the loading bay with five containers shown within it. The Council's Refuse and Recycling team is satisfied with the pull distances associated with the revised residential bin store location and also that there would be level access from the store to a vehicle in the loading bay. They do however have concerns about the operation and reliability of the roller shutter door proposed. The response confirms the Council policy of not collecting waste left outside the bin store. Provision of the bin store and loading bay could be secured through a planning condition and a legal agreement if the proposal was otherwise acceptable.
- 5.33 The Local Highway Authority does raise some concern about the loading bay and its relationship to the pavement. They state that, depending on where a vehicle parks, there would be 1.5 metres pavement width between the wall of the development and the vehicle. Planning officers measure this distance as only 1.3 metres. Either way, when the bay is in use, some obstacle to pedestrians is likely to result. The pavement width is already restricted by a line of bollards. Ideally two metres would be sought to allow for satisfactory wheelchair/pedestrian passing space. WSCC Highways require further details of the operation of the loading bay, safeguarding of land for pedestrian use and amendments to existing waiting restrictions. Given that the site would contain 15 flats and two commercial units with no off-street parking, planning officers consider the Local Highway Authority's view that the loading bay would generally not be in use to be optimistic. The applicant recognises in their Delivery and Servicing Plan that it would be used for postal and other deliveries, commercial and residential refuse collections, commercial servicing, maintenance vehicles and removals. It is also likely, even with controls in place, to be used by visitors and staff at the commercial unit and coffee shop as well as, on occasion, residents of and visitors to the flats. Even with restrictions in force, these would not be constantly enforced and some unauthorised parking is likely.
- 5.34 The applicant has submitted the same Delivery and Servicing Plan as was submitted with the previous application. Whilst useful in that these issues are being considered, it is considered unsatisfactory in a number of respects. The plan suggests that, if the lay-by outside the site is occupied, alternatives will be available outside the proposed Station Gateway development. The pull distances to the Station

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Gateway lay-bys would though far exceed those required by the Refuse and Recycling team. Reference is also made to a number of issues, such as the use of quieter electric vehicles, over which the applicant has no control.

- 5.35 Station Way is one way so, by the time drivers were able to see that the application site's proposed loading bay is occupied, they would be beyond the proposed Station Gateway loading bays, unable to access them and committed to a left turn over the level crossing. A 3 kilometre drive along Brighton Road, Southgate Drive, Southgate Avenue and back along Station Way would be required to return to the same point. Clearly the temptation for drivers to simply park on the pavement or block the southern lane on Station Way would be considerable.
- 5.36 Whilst this site is in a sustainable town centre location where a low level of parking can be acceptable, the proposal is considered by planning officers to be unacceptable in parking terms due its specific siting on a difficult junction close to the level crossing. Any development generates a level of traffic movements and, for fifteen flats, a coffee shop and a commercial unit, this would be likely to be significant. The inability of vehicles to vacate the highway here is likely to exacerbate queues caused by the level crossing and may lead to the southern lane of Station Way being blocked. Other developments to the east along Station Way have incorporated a level of parking below the minimum standards, whilst not being car free, and it is considered that a scheme with no vehicle parking in this awkward location is not acceptable.
- 5.37 The amount of cycle parking has been increased to 38 spaces (26 internal spaces for residents and 12 external spaces near the level crossing). This number of spaces complies with the Council's standards. However, as pointed out by the Crawley Cycle and Walking Forum, the internal spaces are double stacked. There appears to be insufficient space to pull the top rack out and then manoeuvre a bike onto it, as the lower end of the top rack would be almost against the opposite wall of the store when extended. This layout is not acceptable and, given the very tight nature of the scheme, it is difficult to see how it could be easily resolved.
- 5.38 Network Rail has objected to the scheme again. They state that this *"proposal in its current form increases the risk of an accident at the level crossing, consequently it impacts Network Rail's legal duty to reduce risk at our level crossings so far as is reasonably practicable."* However, the Inspector commented in his appeal decision that *"the presence of the level crossing is indicated by a road sign. Moreover, I saw that traffic movements around the junction are controlled by traffic signals. There is no evidence that the current situation is unduly hazardous, and I note that the highway authority has not raised any concern in this regard. To my mind this is not a matter that weighs against the appeal."* WSCC Highways were asked for their views on this. They state that westbound drivers would have an unobstructed view of the traffic lights and level crossing road sign. They note that visibility for southbound vehicles of vehicles ahead turning right into Springfield Road is not great, but do not consider that the proposal would materially *"worsen the present situation."* Network Rail's comments on both the current and previous applications have welcomed further discussion with the applicant on possible mitigation of any increased risk. The applicant appears not to have addressed these serious concerns with Network Rail. Unfortunately, whilst planning officers understand the Network Rail concerns and consider that the proposal is likely to slightly worsen safety at the level crossing, in the absence of support on this from either WSCC Highways or the recent appeal decision, it would be difficult to sustain a reason for refusal.
- 5.39 Overall, the scheme fails to properly address pedestrian accessibility, servicing or parking requirements. It is considered unacceptable in transport terms as it stands. Refusal is recommended on this basis.

Sustainability

- 5.40 The applicant has submitted a Sustainability and Energy Statement. The report states that the scheme can achieve carbon reduction and energy efficiency measures in line with local policy. It also states that BREEAM Excellent for energy and water credits can be achieved and is targeted. Although a District Energy Network is not in place to serve the development, the proposed communal heating system could be connected at a later date. The dwellings would have water efficient fittings to meet local requirements.

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- 5.41 The Strategic Planning team comment that the proposal offers some fabric efficiency measures, natural ventilation with extraction fans in wet rooms and a communal gas boiler system. No zero or low carbon energy sources are proposed. Whilst they accept that the scheme could achieve the minimum BRE AAM 'Excellent' energy and water standards, Strategic Planning comment that the *“modelled result of these measures is a relatively negligible improvement over Building Regulations CO2 emissions standards (just under 1% for the residential; 5% for the non-residential), although the potential for substitution of the communal gas boiler system with a District Energy Network connection or other heat source in future offers the prospect of future CO2 savings.”*
- 5.42 Whilst further detail would be required by condition if the scheme were acceptable and the level of sustainability is fairly poor, it is considered that the application provides sufficient information to demonstrate that the scheme could meet the required Local Plan sustainability levels. Further details could be secured by condition and through a Reserved Matters application if the scheme were otherwise acceptable.

Water neutrality

- 5.43 Crawley is situated in an area of serious water stress, as identified by the Environment Agency. The majority of Crawley, including the application site, is served by Southern Water from its Sussex North Water Resource Zone. This water supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.
- 5.44 On 14 September 2021, the council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the Sussex North Water Resource Zone is not having an impact on the Arun Valley sites. It advises that developments within this zone must not add to this impact.
- 5.45 Under the Conservation of Habitats and Species Regulations 2017, Crawley Borough Council is the Competent Authority and has a duty to consider the impact of development on protected species and habitats. These Regulations and the Natural England Position Statement require, as a matter of law, applications for planning permission in the majority of Crawley to demonstrate that they do not increase pressure on water resources and that they are “water neutral.”
- 5.46 Despite the appeal decision stating that further information would be required, the applicant has submitted no information to address water neutrality. Clearly the change from the existing surface car park, with no water connection, to a development of fifteen flats and commercial space would significantly increase water usage on the site. The applicant has failed to quantify the likely increased water consumption or to offer any proposals to offset this. In the absence of any evidence to demonstrate water neutrality, the scheme would be likely to have an adverse impact upon the protected habitats. Refusal is recommended on that basis.

Drainage

- 5.47 The application site is not in an area at risk from flooding according to Environment Agency records. Thames Water responded that the applicant should follow the sequential approach to disposal of surface water. Thames Water approval would be required for surface water discharge to a public sewer. Groundwater discharges to a sewer should be minimised. No objection is raised on waste water infrastructure grounds. It is considered that drainage matters associated with the scheme could be satisfactorily resolved by condition if the scheme were otherwise acceptable. Southern Water raises no objection and provides advice on connecting to a water supply. The Council's Drainage Engineer raises no objection, but seeks further details regarding SUDS features. WSCC Surface Water Drainage officer makes similar comments.

Archaeology

- 5.48 The site lies within an Archaeological Notification Area based on the Medieval settlement of Crawley. The Medieval settlement was a focus for iron working and the site lies at its southern end. The applicant has submitted an archaeological assessment. The report concludes that no further work is needed, given the site's location at the southern bounds of the settlement, its small size and possible

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subsequent physical impact on the site. The Council's Archaeological consultant does not accept the report's conclusions that no further work is necessary. However, she is satisfied that archaeological remains of a standard to warrant preservation in situ are unlikely and that a condition could be attached requiring agreement and implementation of a programme of archaeological investigation. This condition would have been recommended if the scheme were otherwise acceptable.

Noise and air quality

- 5.49 The applicant has submitted noise, vibration and air quality reports. The site lies in a noisy location, with three lanes of traffic running immediately to the north and trains running to the south. It is also close to the railway and level crossing. Traffic speeding up and slowing down, as caused by the traffic lights outside the site, can be particularly noisy. Comments from Environmental Health on the current application are awaited. However, previously Environmental Health raised a number of concerns about the applicant's noise report. The report has not been updated. Members will be updated further at the Planning Committee meeting, but Environmental Health's previous comments were that noise levels would be, at best, within the Significant Observable Adverse Effect level. Given the limitations of the survey work, they felt it was possible that the site would fall within the Unacceptable Adverse Effect Level, where development would be strongly resisted. Given the limited change to the scheme, it seems likely that Environmental Health will raise an objection on noise grounds again.
- 5.50 The Air Quality Management officer notes that the applicant's report concludes that pollutant concentrations for nitrogen dioxide and particulates are predicted to be below air quality targets at the building's façade. There are no longer ground floor windows on this façade. However, the Air Quality Management officer has some concerns about the modelling process and its accuracy. She states that "*there are sufficient uncertainties associated with dispersion modelling and the complexities of the application site to recommend a precautionary approach for this development on air quality grounds to reduce potential exposure to future residents.*" She recommends consideration of alternative design, layout, orientation, building line and openable windows as ways to reduce the potential adverse impact of poor air quality upon residents. Although there is little scope to revise a scheme covering the whole site, this could have been pursued with the applicant if the scheme were otherwise acceptable.

Aviation

- 5.51 GAL Safeguarding has raised no objection subject to a Bird Hazard Management Plan being agreed. They also seek an informative on the potential use of cranes. NATS raise no safeguarding objection. Subject to a Bird Hazard Management Plan, which could be addressed by condition, it is not considered that a harmful impact upon aviation safety would arise from the proposed development.

Contaminated land

- 5.52 The site was formerly used as railway land, with the original Crawley station being to the south. Adjoining land formed a wood yard and railway service yard. The applicant has submitted a Preliminary Risk Assessment suggesting that further intrusive investigation should be carried out. The same report was submitted with the previous application. The Contaminated Land officer previously reviewed the report and accepted its findings. Although he has not commented on the current application, he previously recommended a condition to address contamination. The condition could have been attached to the permission if the current proposal were otherwise acceptable.

Affordable housing and other infrastructure contributions

- 5.53 Policy IN1 of the Local Plan requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will implement a Community Infrastructure Levy (CIL). The proposed development would be liable for a CIL contribution.
- 5.54 Policy H4 of the Local Plan and the Affordable Housing SPD are both relevant to this proposal. The Local Plan policy seeks provision of 40% affordable housing and an additional 10% low cost housing within the scheme. Of this, a minimum of 70% should be Affordable Rent or Social Rent, with up to 30% being Intermediate tenure. Paragraph 65 of the NPPF states that where major development

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involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership.

- 5.55 The applicant has submitted a Viability Assessment. This has not been updated since he previously refused scheme and contains the original, rather than current floorplans. The floorspace figures within it are not accurate. This does state that the scheme would be viable with a financial contribution of £116,006 towards affordable housing. The report states that this represents 25% of the required contribution. That contribution is not offered though and the report concludes *“only a nil affordable housing scenario generates a profit which we consider to be marginally viable (at 6.99% on GDV / 7.51% on cost). Even at this level of profit, the developer will need to take a view as to whether they can access funding at a reasonable rate given the returns fall below the 20% on GDV benchmark which lenders often require.”* No affordable housing contribution, either on-site or off-site, has been offered by the applicant.
- 5.56 The Council’s Housing Enabling and Development Manager has reviewed the assessment. He considers the *“build costs to be on the high side for this scale of build, and the suggested land value far exceeds its existing use value, and since the applicant has expressed willingness to proceed at the level of profit reflected in their appraisal, it is my considered view that the scheme is suitably viable to make an adjusted off-site commuted sum contribution, notwithstanding their obligation to satisfy the minimum requirements of the NPPF and the emerging First Homes requirement.”*. The Housing Enabling and Development Manager objects to the application if the applicant is not willing to make the required affordable housing contribution. The applicant has also failed to address the minimum NPPF requirement for 10% of homes within a major development to provide affordable home ownership.
- 5.57 Policy CH6 of the Local Plan deals with replacement and additional tree planting to maintain Crawley’s tree cover and character. An additional tree is sought for every new residential unit. Ideally these would be planted on site but, with the excessive site coverage proposed, tree planting is clearly is not possible in this case. A contribution of £10,500 (15 units x £700 per tree) in accordance with the policy and the Green Infrastructure SPD would therefore be sought. The applicant’s Planning Statement fails to address this issue at all and the application contains no commitment to making this payment.
- 5.58 Policy ENV5 of the Plan and the supporting Green Infrastructure SPD deal with the need for open space and recreation facilities arising from increased residential population. Provision of such facilities on-site or contributions towards provision off-site will be sought where shortfalls are identified. In this case, the proposal has no capacity to accommodate on-site open space and recreation due to the site coverage by the proposed building. The Forward Planning team assessed the previous scheme in respect of this provision and sought a contribution of £12,741.25. Comments are awaited on the current scheme, but a contribution at a similar level will be required. Again, the applicant’s Planning Statement fails to address this issue or to support a contribution.
- 5.59 The applicant’s position on affordable housing provision, tree planting, open space and recreation is unacceptable, with no commitment made to addressing these important requirements. Refusal is recommended on these grounds as a result.

CONCLUSIONS:-

- 6.1 The footprint of the proposed development would almost entirely cover the application site. The proposed design remains very poor and would have an unacceptable relationship to both the streetscene and the proposed high quality development and public realm improvements along Station Way. It would also relate poorly to the built development and communal amenity space proposed within the adjoining allocated Station Gateway scheme. Officers have concerns about the operation of the proposed loading bay, the likelihood of obstacle to pedestrians, buggies and wheelchairs users at times, possible obstructions to traffic and the inaccessibility of some of the cycle parking. The applicant has failed to demonstrate that the proposal is acceptable in terms of noise and the proposed layout and design is unacceptable in terms of amenity for future residents. The applicant has failed to demonstrate that the proposal would be water neutral. The application fails to make appropriate provision for affordable housing, trees or open space and recreation. Overall, the applicant has failed to address all the reasons that the Inspector used to dismiss the recent appeal. The proposal is

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considered to be of extremely poor quality and to represent substantial overdevelopment of the site. Refusal is strongly recommended.

RECOMMENDATION RE: CR/2021/0621/OUT

REFUSE for the following reasons:

1. The proposed development, by reason of its site coverage, layout, scale, massing, relationship to adjoining sites and proximity to Station Way, represents substantial overdevelopment of the site and is contrary to policies CH2 and CH3 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
2. The proposed development, by reason of its siting, design, massing, scale and external appearance, would form a dominant and unattractive building that would fail to respect the existing or proposed Station Way streetscene. There would be no opportunity to soften the building through the use of significant landscaping and its set back from the Station Way carriageway and pavement is totally inadequate. It represents a wholly unacceptable form of development and is contrary to policies CH2 and CH3 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
3. The proposed development, by reason of the layout and orientation of the flats and their amenity space, together with their proximity to Station Way and the proposed Station Gateway communal garden to the south, would, particularly on lower floors, provide extremely poor outlook and inadequate natural light to windows and balconies. The operation of the bin stores and cycle store, with their roller shutter doors, plant room and lift are likely to cause disturbance to the occupants of adjoining flats. As such, the proposal would fail to create a satisfactory residential environment for future residents contrary to policies CH3 and CH5 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
4. The applicant has provided insufficient evidence to demonstrate to the satisfaction of the Local Planning Authority that the occupiers of the proposed noise sensitive residential (C3) development would not suffer significant disturbance and be harmed by noise from nearby road and railway sources. The applicant has also failed to demonstrate that acceptable mitigation can be put in place to address these significant noise concerns. The proposed development is therefore contrary to policy ENV11 of the Crawley Borough Local Plan, the National Planning Policy Framework and the Noise Policy Statement for England.
5. The proposed development would have an unacceptable and overdominant relationship to the development proposed on the adjoining allocated Station Gateway site and would dominate and overlook the proposed landscaped communal garden area to the south. It fails to take a comprehensive approach to development in this area. The proposal is contrary to policies CH2, CH3 and CH4 of the Crawley Borough Local Plan, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
6. The proposed development would significantly increase water usage on the site. The applicant has failed to quantify the likely increase in water consumption or to offer any proposals to offset this. In the absence of any evidence to demonstrate water neutrality, the scheme would be likely to have an adverse impact upon protected habitats including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site. The proposal would therefore be in breach of the Conservation of Habitats and Species Regulations 2017.
7. The proposed development, with its lack of on-site vehicle parking, partially inaccessible cycle parking and reliance on a single loading bay, fails to provide for the vehicular traffic that it would generate. Insufficient evidence has been submitted to demonstrate that the proposed servicing arrangements could operate satisfactorily without adversely affecting either the free flow of traffic along Station Way or the safe movement of passing pedestrians, buggies and wheelchair users. The proposal is therefore contrary to policies IN1, IN3 and IN4 of the Crawley Borough Local Plan, the parking standards set out in the Urban Design Supplementary Planning Document and the National Planning Policy Framework.

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8. The proposal would not make any provision towards affordable housing, despite the significant and demonstrated need in Crawley. Non-viability of the scheme has not been demonstrated. The proposed development is therefore contrary to policy H4 of the Crawley Borough Local Plan 2015-2030, the Affordable Housing Supplementary Planning Document and paragraph 64 of the National Planning Policy Framework.
9. An agreement is not in place to ensure that the appropriate contributions for tree planting and open space are secured. The development is therefore contrary to policies CH6, ENV5, and IN1 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure Supplementary Planning Document.
1. NPPF Statement

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

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

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



ArcGIS Web Map



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