

## Crawley Borough Council

### Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Rooms A & B - Town Hall**, on **Tuesday, 12 July 2022 at 7.00 pm**

Nightline Telephone No. 07881 500 227



**Chief Executive**

**Membership:**  
Councillors

R D Burrett (Chair), Y Khan (Vice-Chair), Z Ali, A Belben,  
K L Jaggard, S Malik, S Mullins, M Mwgale, S Pritchard, S Raja and  
S Sivarajah

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

## Part A Business (Open to the Public)

	Ward	Pages
<b>1. Apologies for Absence</b>		
<b>2. Disclosures of Interest</b>		
In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.		
<b>3. Lobbying Declarations</b>		
The Planning Code of Conduct requires that councillors who have been lobbied, received correspondence, or been approached by an interested party regarding any planning matter should declare this at the meeting which discusses the matter. Councillors should declare if they have been lobbied at this point in the meeting.		
<b>4. Minutes</b>		3 - 8
To approve as a correct record the minutes of the Planning Committee held on 6 June 2022.		
<b>5. Planning Application CR/2021/0844/FUL - 9 Mill Road, Three Bridges, Crawley</b>	Three Bridges	9 - 28
To consider report PES/404a of the Head of Economy and Planning.		
<b>RECOMMENDATION</b> to PERMIT.		
<b>6. Supplemental Agenda</b>		
Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.		

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

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## Crawley Borough Council

### Minutes of Planning Committee

Monday, 6 June 2022 at 7.00 pm

#### Councillors Present:

R D Burrett (Chair)

Y Khan (Vice Chair)

Z Ali, A Belben, K L Jaggard, S Malik, S Mullins, M Mwangale, S Pritchard and S Raja

#### Officers Present:

Siraj Choudhury Head of Governance, People & Performance

Jean McPherson Group Manager (Development Management)

Marc Robinson Principal Planning Officer

Clem Smith Head of Economy and Planning

Jess Tamplin Democratic Services Officer

#### 1. Disclosures of Interest

The following disclosures of interests were made:

<b>Councillor</b>	<b>Item and Minute</b>	<b>Type and Nature of Disclosure</b>
Councillor A Belben	CR/2021/0844/FUL – 9 Mill Road, Three Bridges (Minute 4)	Personal interest – a neighbour of the site, who had raised an objection to the application, was known to him.
Councillor A Belben	CR/2022/0034/TPO – 8 Haversham Close, Three Bridges (Minute 5)	Personal interest – the applicant was known to him.
Councillor Burrett	CR/2022/0034/TPO – 8 Haversham Close, Three Bridges (Minute 5)	Personal interest – the applicant was known to him.
Councillor Jaggard	CR/2022/0034/TPO – 8 Haversham Close, Three Bridges (Minute 5)	Personal interest – the applicant was known to her.

The Head of Governance, People & Performance highlighted that the applicant for agenda item CR/2022/0034/TPO – 8 Haversham Close – was Brenda Burgess, a currently elected Crawley Borough Council Councillor. Those Committee members that had not declared an interest in the application confirmed that they knew or knew of Councillor Burgess, however a specific declaration of interest was not required as Councillor Burgess did not fall under the category of relative or friend. It was considered that all Committee members were able to approach the application with an open mind.

## 2. Lobbying Declarations

Councillor Pritchard had been lobbied regarding agenda item 5 (minute 4), planning application CR/2021/0844/FUL – 9 Mill Road, Three Bridges, but had not expressed views on the application in advance of the meeting.

## 3. Minutes

The minutes of the meeting of the Planning Committee held on 25 April 2022 (included in the supplemental agenda published on 6 June 2022) were approved as a correct record and signed by the Chair.

## 4. Planning Application CR/2021/0844/FUL - 9 Mill Road, Three Bridges, Crawley

The Committee considered report [PES/403a](#) of the Head of Economy and Planning which proposed as follows:

Erection of 1 x attached three bed dwelling in side garden space, and erection of single storey side and rear extension and internal alterations to existing dwelling.

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

The Principal Planning Officer provided a verbal summation of the application, which sought planning permission for an extension to 9 Mill Road in Three Bridges and a separate three bedroom house to the side of the existing property. The Officer updated the Committee that, since the publication of the agenda, the following amendments to the report were required:

- Part of paragraph 5.28 was now to read, 'The proposals could also provide adequate cycle parking *in the rear garden*'.
- Part of paragraph 5.29 was now to read, 'According to Policy CH5, a *two* storey 3 bedroom dwelling for 4 persons should provide a minimum internal floorspace of *90* sqm'.
- Part of paragraph 5.35 was now to read, 'The plans show that the FFL of the extension would be the same as the existing dwelling which would be *+69.8m* which would be 300mm higher than the *external ground level* at the rear of the existing dwelling'.

The Committee noted that, following the publication of the agenda, a supplemental agenda had been published which included a clearer plan of the application site.

# Agenda Item 4

Planning Committee (3)  
6 June 2022

Brenda Burgess, Ward Councillor for Three Bridges, spoke in objection to the application. Matters raised included:

- Local residents were concerned about the proposed development's effect on the streetscene.
- Mill Road was narrow with cars tightly parked – works vehicles may have difficulty accessing the site and this could cause congestion in the vicinity.
- A previous planning application for a dwelling at the same site had been refused.

The Committee then considered the application. Following a question from a Committee member, the Planning Officer explained that there had been two previous planning applications at the same site – a first which was for a separate dwelling and had been refused, and a second which was for an extension and had been permitted. It was clarified that these applications were separate to that in front of the Committee, but some weight should be given to the reasons for both the prior permission and the prior refusal in assessing the current application.

One of the previous applications was refused on flood risk grounds only. The only fundamental difference in the application now under consideration compared to the previously-refused application was a significantly reduced flood risk at the site following a re-assessment by the Environment Agency (EA), which had now placed the site in the lowest flood risk zone. It was noted that, according to the flood map created by the EA in November 2021, the application site was now predominantly in flood zone 1 (low probability) with a small part of the site in zone 2 (medium). Previously the site had been in zone 3 (high) and the risk of flooding had formed the reason for the refusal of the previous application for a dwelling at the site.

Committee members discussed the reasons for the change in flood zone – that the EA had updated its flood risk map as part of a routine review – and noted that the application complied with various flood-resilience requirements and advice. A Committee member raised a concern that a different flood map of the area, sourced from the Government's website, showed that the site was at a high risk of flooding. Planning officers agreed that it was unclear which classification was more recent and therefore the flood risk zone could not be confirmed at the meeting.

The Committee continued discussion of the application to help determine whether it would be able to make a decision at the meeting. Concerns were raised regarding an existing lack of on-street car parking on Mill Road – it was considered whether the application could lead to more cars needing to be parked on the road and therefore further pressure on the availability of parking spaces. The Principal Planning Officer clarified that in-person surveys undertaken by Crawley Borough Council officers had identified that there was parking capacity in the nearby streets and it was not therefore considered that the area was under parking stress. West Sussex County Council also had no objection to the proposal in terms of the impact upon the parking and the safe and efficient operation of the highway. A Committee member highlighted that the area was in a controlled parking zone (CPZ) so the number of cars parked would differ throughout the day based on the operation of the CPZ. It was confirmed that the surveys were undertaken outside of CPZ operation hours, at 17:45, 19:30, and 21:00. It was noted that the previous application for a dwelling at the site was refused on the grounds of flood risk, not on parking grounds. It was also heard that parking standards were taken into account on a case-by-case basis – in this case, the site was considered to be in a sustainable location close to local facilities with good public transport links and this mitigated the need for the creation of off-street parking spaces. The Committee felt that WSCC should be requested to undertake a site visit to assess the impact of the development.

# Agenda Item 4

Planning Committee (4)  
6 June 2022

Cycle storage facilities were discussed by the Committee. It was identified that there was no cycle storage at the front or to the side of the existing dwelling due to the small size of the site, so any bicycles were proposed to be carried through the house and stored in the rear garden. Concerns were raised about the practicality of this proposal and that it may discourage bicycle usage.

A Committee member raised the matter of water usage in relation to both the existing and proposed houses, and questioned how the development could be water neutral. In response, the Principal Planning Officer confirmed that the Council's specialist consultants had confirmed that the proposals were water neutral. The proposal to remove one bedroom from the existing dwelling implied a decrease in occupancy and therefore a decrease in water usage. It was also proposed to install water-saving fittings and fixtures including grey water recycling for toilet flushing for both of the resultant dwellings. Natural England had been consulted as required with regard to water use at the development, but had not responded (the consultation period had not yet finished).

The Committee also discussed the site access for works vehicles during the construction period; concerns were raised regarding the narrowness of Mill Road. It was noted that WSCC had not imposed a construction management plan on the application – this was due to the small area of the site, which meant that it was not possible to allocate certain areas for specific facilities (e.g. skips, vehicle wheel-washing) throughout the construction period. A Committee member requested that WSCC be asked for clearer information regarding construction vehicles' access to the site. Clarification of this was to be sought before the next scheduled meeting of the Planning Committee.

## **RESOLVED**

As the Committee had become aware of two different maps which contradicted one another regarding the flood risk level at the site, it was clear that further clarification of this matter was required as this was fundamental to the consideration of the application. The Head of Governance, People & Performance advised that the Committee could defer the application to its next meeting on the basis that it required additional information. Planning officers were therefore requested to seek clarification from the EA regarding the flood risk level. Committee members were advised that if they decided to defer the application, they would be required to approach the matter at the next meeting with an open mind and a willingness to take into account all available information.

The Committee agreed that the application be deferred to the next scheduled meeting of the Planning Committee on 12 July 2022, to allow officers to obtain clarification of the flood risk at the application site, and from West Sussex County Council in relation to the highway.

### **5. Tree Preservation Order Application CR/2022/0034/TPO - 8 Haversham Close, Three Bridges, Crawley**

The Committee considered report [PES/403b](#) of the Head of Economy and Planning which proposed as follows:

T1 sycamore: fell secondary sucker growth and smaller stem (circa 50 - 75mm) encroaching garage and car parking area. Crown spread of tree to remain unaffected.

# Agenda Item 4

Planning Committee (5)  
6 June 2022

T2 sycamore: lateral prune south aspect over property by approx. 1.5m to appropriate growth points to ensure minimum of 2m clearance from house. Remaining crown spread of approx. 3m.

T3 oak: crown reduce by approx. 2m to appropriate pruning points. Final height of approx. 10m and crown spread of approx. 5m on all aspects.

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

The Principal Planning Officer provided a verbal summation of the application, which sought consent for works to three trees, two of which were subject to Tree Preservation Orders (TPOs). The Officer updated the Committee that, since the publication of the report, the recommendation had been changed to read 'T1 sycamore: *remove* secondary sucker growth and smaller stem...' to clarify the nature of the works.

Brenda Burgess, the applicant, spoke in support of the application. Matters raised included:

- Works to the trees were sought due to branches encroaching on the property – full felling was not desired.
- Trimming of the trees had been undertaken in the past, but due to quick growth, works were once again required.
- Clarity was sought over which specimens were currently subject to TPOs.

The Committee then considered the application. Following a query regarding the frequency of works to protected trees, the Planning Officer explained that applications for works were made as and when trimming was required, and not according to a set timeframe – tree growth could be inconsistent and pre-scheduled works may not be appropriate for the health of the tree at those times. There was no charge for applications for works to protected trees.

The Planning Officer confirmed that the oak tree (T3) was not subject to a TPO. It was also clarified that removal of deadwood from protected trees did not require an application for consent.

## **RESOLVED**

Consent subject to conditions set out in report PES/403b.

## **6. Supplemental Agenda**

The Committee noted that the items included in the supplemental agenda, published on 6 June 2022, had been considered as part of the proceedings of the meeting.

### **Closure of Meeting**

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

**R D Burrett (Chair)**

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# Agenda Item 5

**CRAWLEY BOROUGH COUNCIL**  
**PLANNING COMMITTEE - 12 July 2022**  
REPORT NO: PES/404(a)

**REFERENCE NO: CR/2021/0844/FUL**

**LOCATION:** [9 MILL ROAD, THREE BRIDGES, CRAWLEY](#)

**WARD:** Three Bridges

**PROPOSAL:** ERECTION OF 1 X ATTACHED THREE BED DWELLING IN SIDE GARDEN SPACE, AND ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION AND INTERNAL ALTERATIONS TO EXISTING DWELLING

**TARGET DECISION DATE:** 7 January 2022

**CASE OFFICER:** Mrs A. Sanders

**APPLICANT'S NAME:** Mr Ridley

**AGENT'S NAME:** Architecture for London

## **PLANS & DRAWINGS CONSIDERED:**

Drawing Number	Revision	Drawing Title
PL001	A	Site Plans
PL000		Location Plan
PL310	A	Proposed Elevations
PL003	A	Existing Elevations
PL002	A	Existing Floor Plans
PL300	A	Proposed Floor Plans - Ground Floor & First Floor
PL301	A	Proposed Floor Plans Loft & Roof
PL320	A	Proposed Street Elevation
PL600		Window Details
PL311		Diagram Of Materials

## **The application was deferred from the Planning Committee on 6 June 2022 for the following reasons:**

The Committee agreed that the application be deferred to the next scheduled meeting of the Planning Committee, on 12 July 2022, to allow officers to obtain clarification of the flood risk at the application site.

A Committee member requested that WSCC be asked for further information regarding the impact of the development on the highway and the use of construction management plan/other controls on the use of the road if the development were to be implemented.

Clarification of both these points were to be sought before the next scheduled meeting of the Planning Committee.

## **CONSULTEE NOTIFICATIONS & RESPONSES:-**

- |    |                                      |                                      |
|----|--------------------------------------|--------------------------------------|
| 1. | WSCC Highways                        | No objection subject to conditions   |
| 2. | National Air Traffic Services (NATS) | No objection                         |
| 3. | Thames Water                         | No objection                         |
| 4. | CBC Drainage Officer                 | No objection subject to conditions   |
| 5. | CBC Property Division                | The proposal would be in breach of a |

# Agenda Item 5

covenant – *Officer note: this is not a planning consideration and is a legal matter.*

6.	CBC Housing Enabling & Development Manager	No comments received
7.	CBC Environment Team	No comments received
8.	CBC Environmental Health Officer	No objection
9.	CBC Refuse & Recycling Team	No comments received
10.	Southern Water Ltd	No objection
11.	CBC Energy Efficiency & Sustainability	No objection subject to conditions
12.	Listed Building Officer	No objection subject to conditions
13.	Hazelwick CAAC	No comments received
14.	CBC Parking Services	Object due to lack of parking provision

## **NEIGHBOUR NOTIFICATIONS:-**

The application was publicised by the posting of a site notice on 16<sup>th</sup> December 2021 and a press advert was published on 22<sup>nd</sup> December 2021.

Additional neighbour notifications were undertaken with those who had responded to the previous application as follows:

1, 2, 3, 4, 7, 8, 10, 12, and 93 Mill Road;  
16, 20, 22, 24, and 28 Hazelwick Road;  
Rossley, Snow Hill, Crawley Down;  
93 The Birches;  
40 Brantridge Road, Furnace Green;  
Kimberley Road Three Bridges;  
18 Summersvere Close;  
2 Inholmes 22 North Road.

## **RESPONSES RECEIVED:-**

11 letters of objection and a petition have been received raising the following concerns:

- Pressure on parking – will result in the loss of parking provision and increase the demand. Will put further burden on Mill Road.
- Within a controlled parking area where parking is already extremely challenging.
- No provision for the loss of parking spaces.
- This part of Mill Road is a narrow one-way street with no footpath increasing the risk of collision between pedestrians and vehicles.
- Lack of clear plan for building materials/ waste and access during construction.
- There will be no suitable location for delivery, loading and storage of building materials. Skips would need to be placed on the road.
- Querying where the scaffolding would go
- Access issues for construction vehicles down this narrow stretch of road as well as access issues for residents/pedestrians during construction – would cause a health and safety issue.
- Impact on the integrity of the Conservation Area – the proposal would destroy and overwhelm the Conservation Area.
- The proposal is out of context, scale and would destroy the architectural history of the area.
- Any new build would destroy the character of this row of properties.
- Would represent over-development, is disproportionate and the siting is ill-considered.
- Impact on residential amenity.
- Pressure on other infrastructure water / sewerage etc.
- Sixth planning application on this site.
- Contrary to Local and National Policy and the objectives of the Hazelwick Road Conservation Area.
- Loss of privacy to properties on Hazelwick Road.

# Agenda Item 5

- Adverse flood risk impact.
- No affordable housing contribution.
- No EV charging point.
- Previous application not transparent as now they want a new dwelling on the site.
- Would like committee to undertake a site visit.

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

More than 4 letters of objection have been received and the officer recommendation is to permit. The Planning Committee deferred the application from 6<sup>th</sup> June for further information and clarifications.

## **THE APPLICATION SITE:-**

- 1.1 The application site is number 9 Mill Road in the neighbourhood of Three Bridges. It is a two-storey 19<sup>th</sup> Century semi-detached dwelling located on the eastern side of Mill Road. The property has a two-storey rear projection which is an original architectural feature that is also common to other properties in the locality. It is a three-bedroom dwelling and has been extended at ground floor level to include single storey rear extensions beyond the original rear wing and the main rear wall of the house. The site incorporates a detached garage and off-street parking provision for two vehicles to the side of the dwelling. Double yellow lines extend from No.7 Mill Road across the front of the site including the entrance to the parking area to the rear of Millbrook House (which fronts onto Hazelwick Road). The site is located within a controlled parking zone where a resident's parking permit is required to park on-street, and which was introduced to address the parking pressures arising as a result of the area's proximity to Three Bridges Railway Station.
- 1.2 The surrounding area is residential in nature and this section of Mill Road has junctions with Hazelwick Road and New Street. This part of Mill Road contains 5 dwellings: being this pair of semi-detached houses and a terrace of three dwellings of similar design located on the opposite side of the road. The wider area incorporates similar forms of development mixed with some larger dwellings. The northern neighbour in Hazelwick Road (Millbrook House) is set perpendicular to the site and faces the side elevation of the applicants house. The northern side of the site also faces the rear gardens of some properties in Hazelwick Road. The rear boundary is with No.18 Hazelwick Road.
- 1.3 The application site is located within the Hazelwick Road Conservation Area. The site is predominantly located within Flood Zone 1 which has a low probability of flooding although a small portion of the site is within Flood Zone 2 which has a medium probability of flooding.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Planning permission is sought for the erection of a two storey, three bedroomed, attached house, following the demolition of the existing garage on the north side of No.9 Mill Road. This would create a terrace of three houses. Permission is also sought for the erection of a single storey side/rear extension at No.9 Mill Road.
- 2.2 The proposal is very similar to the extension to 9 Mill Road (CR/2020/0054/FUL) permitted in 2020, in that the size, height and external appearance of the scheme is the same, but rather than being an extension to the existing semi-detached house, what is now proposed is a separate dwelling and the internal layout of the resultant two houses reflects that difference.
- 2.3 The new proposed house would be positioned in line with the front elevation of the existing adjacent house No.9 Mill Road and would be 13.9m in length. The width of the proposed new house would be 4.6m, with a proposed gap between the side elevation and the retained fence boundary of 0.8m at the front that would narrow to a 0.3m wide gap at the rear. It would have a pitched roof and chimney stack matching the roof of No.9 Mill Road. The two-storey rear projection of the proposed house would extend 3m from the rear elevation and be 2.8m wide with a gable end roof with eaves level to match the eaves of the main roof and the ridge height set 2m below the ridge of the main roof. The

# Agenda Item 5

proposed windows and doors would mirror the arrangement, style and materials of the existing windows/doors of No.9 Mill Road. The proposed brickwork including detailing and slate roof would also match No.9 Mill Road. An obscure glazed window is proposed within the north side elevation at the first floor level to serve the stairs.

- 2.4 The width of No.9 Mill Road's front elevation would be increased from 4.1m to 4.3m. To the rear, the existing kitchen and bathroom would be replaced with a rear extension of the same length as existing but would extend across the full width of the house and measure 3.5m in height compared with the existing 2.6m high flat roof. The extension proposed for no.9 Mill Road would mirror the rear of the proposed house with bi-fold doors in the rear elevation and a 2.8m x 1.2m rooflight located either side of the boundary between the two resultant houses.
- 2.5 The rear garden of the proposed house and that of No.9 Mill Road would measure approximately 14.5m in length. The front garden would include a concrete pathway directly from the highway to the front door and would be enclosed with a low level brick wall with capped brick piers and railings.
- 2.6 Internally the proposed house would contain an open plan living, kitchen, dining room area at the ground floor level, three bedrooms at first floor and a bathroom in the loft space. 9 Mill Road would be reconfigured to create an open plan kitchen/diner with shower/utility room on the ground floor. The living room would remain unaltered. On the first floor, two of the existing bedrooms are to be retained, with the original third bedroom being changed to an en-suite bathroom, thus reducing the property from a three bedroom to a two bedroom house.
- 2.7 The applicant has submitted the following documents with the application:
  - Design and Access & Heritage Statement
  - Affordable Housing Statement
  - Building Height Information
  - Sustainability/Energy Efficiency Statement
  - Schedule of materials
  - Flood Mapping
  - Water Neutrality Statement

## **PLANNING HISTORY:-**

- 3.1 CR/2020/0054/FUL  
Erection of two storey side and rear extension and single storey rear extension  
Permitted – Extant - unimplemented.
- 3.2 CR/2018/0923/FUL  
Erection of 1 X Attached Two Bed Dwelling in Side Garden Space and Erection of Single Storey Side and Rear Extension And Internal Alterations to Existing Dwelling.  
Refused for the following reasons:
  1. The erection of a new residential dwelling within Flood Zone 3a, which has high probability of flooding, is unacceptable as the applicant has not undertaken a risk based approach to avoid, where possible, flood risk to people and property. It is in an inappropriate location being a vulnerable use in an area of high flood risk, it would not provide wider sustainability benefits to the community that outweigh flood risk, be safe for its lifetime or be safe for its occupants and would increase flood risk elsewhere causing greater flood risk to other people and property. The proposal fails to satisfy the sequential and exception tests and is therefore contrary to Local Plan Policy ENV8, Section 14 of the National Planning Policy Framework and para 023 and 033 of the Planning Practice Guidance.
  2. An agreement is not in place to ensure that the appropriate contributions for affordable housing are secured. The development is therefore contrary to policies H4 and IN1 of the Crawley Borough Local Plan 2015-2030 and Supplementary Planning Guidance Document 'Affordable Housing'.

# Agenda Item 5

- 3.3 CR/2017/1049/FUL  
Erection Of 1 X Attached Four Bed Dwelling in Side Garden Space. Withdrawn.
- 3.4 CR/2017/1054/FUL  
Erection of Single Storey Side and Rear Extension and Loft Conversion Involving Erection of Rear Dormer and Internal Alterations. Withdrawn.

## **PLANNING POLICY:-**

### National Planning Policy Framework (July 2021)

- 4.1 The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. More specifically:
- Section 2 (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 5 (Delivering a sufficient supply of homes) - To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
  - Section 9 (Promoting sustainable transport) – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
  - Section 11 (Making effective use of land) – this section promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use of possible of previously-developed or ‘brownfield’ land.
  - Section 12 (Achieving well-designed places) - The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Development that is not well designed should be refused.

### National Planning Practice Guidance (NPPG) – Flood Risk and Coastal Change

- 4.2 This section of the NPPG advises how to take account of and address the risks associated with flooding and coastal change in the planning process.
- 4.3 The boundaries of the flood risk zones cut across the application site, with most of the application site being within Flood Zone 1, with part in Flood Zone 2. Looking at the Flood Risk map in detail this shows that the front of the existing dwelling is in Flood Zone 1, with the rear portion of the existing dwelling and its retained rear garden being in Flood Zone 2. The northern half of the application site would form the plot for the new dwelling which would be in Flood Zone 1, apart from the south east corner of the single storey rear element and part of the rear garden, which is Flood Zone 2.
- 4.4 The NPPG sets out the Flood risk vulnerability classification. In this classification buildings used for dwelling houses are classed as ‘more vulnerable’ and householder development including physical

# Agenda Item 5

extensions to the existing dwelling itself are classed as minor development. The NPPG also includes the Flood Risk Vulnerability and Flood Zone Compatibility matrix which sets out which type of developments are appropriate in each particular flood zone.

- 4.5 When applying this to the new dwelling, a more vulnerable use within FZ2 is classed as appropriate development. In terms of applying the sequential test, the NPPG states that the Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The aim is to steer new development to Flood Zone 1. Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding).
- 4.6 For the extension to the existing dwelling, which is minor development (householder development,) the Environment Agency's standing advice should be followed.

## Crawley Borough Local Plan 2015-2030 (Adopted December 2015):

4.7 The relevant policies include:

- Policy SD1 (Presumption in Favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.
- Policy CH2 (Principles of Good Urban Design) States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- Policy CH3 (Normal Requirements of All Development) states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site. They should also comply with internal standards for new dwellings as set out in policy CH5, retain individual groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens so that there would not be overshadowed by tree canopies; and proposals should ensure that rooms within buildings would receive adequate daylight.
- Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents.
- Policy CH6: (Tree Planting and Replacement Standards) requires at least one new tree for each new dwelling.
- 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) seeks to ensure that all development within a Conservation Area should individually or cumulatively result in the preservation or enhancement of the character and appearance of the area.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less, a commuted sum towards off-site affordable housing provision will be sought.

# Agenda Item 5

- 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.
- Policy ENV 8 (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) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- Policy ENV 12: ( Air Quality) states that proposals that do not result in a material impact on air quality will normally be permitted.
- Policy IN1 (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.
- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.
- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the Borough Council's car and cycle standards.

## Emerging Crawley Borough Local Plan 2021 – 2037 (Regulation 19 Draft)

- 4.8 The Local Plan Review 2021-2037 has been the subject of consultation and therefore limited weight should be given to the following applicable policies:

Policy SD1: Presumption in Favour of Sustainable Development  
Policy SD2: Enabling Healthy Lifestyles and Wellbeing  
Policy CL1: Neighbourhood Principle  
Policy CL2: Making Successful Places: Principles of Good Urban Design  
Policy DD1: Normal Requirements of All New Development  
Policy DD2: Inclusive Design  
Policy DD3: Standards for All New Dwellings (including conversion)  
Policy HA1: Heritage Assets  
Policy HA2: Conservation Areas  
Policy IN1: Infrastructure Provision  
Policy IN3 Supporting High Quality Communications  
Policy H1: Housing Provision  
Policy H3: Housing Typologies  
Policy H3b: Densification, Infill Opportunities and Small Sites  
Policy H4: Future Housing Mix  
Policy GI1: Green Infrastructure  
Policy GI2: Biodiversity and Net Gain  
Policy SDC1: Sustainable Design and Construction  
Policy SDC3: Tackling Water Stress  
Policy EP1: Development and Flood Risk  
Policy EP4: Development and Noise  
Policy ST1: Development and Requirements for Sustainable Transport  
Policy ST2: Car and Cycle Parking Standards

## Supplementary Planning Documents

- 4.9 The Council's following Supplementary Planning Documents are also relevant to this application:

- Green Infrastructure - Sets out the Council's approach to trees, open space and biodiversity.
- Planning and Climate Change- which provides guidance and justification for the sustainability policies in the Local Plan.
- Urban Design- includes further guidance and examples on public design and sets out guidance on outdoor amenity space standards.

# Agenda Item 5

- Affordable Housing - Sets out in greater detail the Council's approach to affordable housing to assist with the implementation of policies H3 and H4 of the Local Plan.

## Hazelwick Road Conservation Area Statement

4.10 This adopted Conservation Area Statement has been prepared by Hazelwick Road Conservation Area Advisory Committee (HCAAC) and Crawley Borough Council to identify the key historic and architectural features that form the Hazelwick Road townscape and contribute to its special character. The designation of this area as a Conservation Area reflects both its historic association with the expansion of the railways, and the architectural interest of its streetscape. Its special character is shaped by its formal urban structure, defined by the consistent scale and massing of its built form, uniformity of building lines, and continuity of its frontages along both sides of the street.

## **PLANNING CONSIDERATIONS:-**

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

- Principle of the development
- Impact on the character and appearance of the Conservation Area
- Impact on the amenities of neighbouring occupiers
- The impact upon the highway, parking and the operational requirements of the development
- The resultant living conditions of future occupiers
- Flood risk
- Sustainability
- Affordable housing, CIL and other requirements
- Water Neutrality

## Principle of the development

5.2 The site lies within the built-up area and so, in general terms, development for residential purposes is acceptable in principle.

## The design and appearance of the proposal and its impact on the street scene and character of the Conservation Area

5.3 The proposal is within the Hazelwick Road Conservation Area where all development must preserve or enhance the character and appearance of the area (Local Plan Policy CH13). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. The National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting.

5.4 The Conservation Area Statement for Hazelwick Road describes the character that is to be preserved/enhanced. It states; *"any new buildings should be of a high quality design and should respect the character and appearance of the Conservation Area. This can be achieved through achieving consistency with the existing scale, massing, building set-back, materials and colours, and decorative features found in the Conservation Area as detailed in Part 3 of this document"*. The following paragraphs assess the proposal against this and Part 3 of the Statement:

5.5 Hazelwick Road Conservation Area is predominantly residential in nature. Buildings take the form of a mix of two storey semi-detached and terraced houses. Terraces are predominantly three or four dwellings in size. There is a strong uniformity to building lines with small set-backs from the highway, low level fences/boundary walls or planting which create a townscape feature of value to the Conservation Area. The proposal would continue the scale and massing of attached dwellings No.7 and No.9 Mill Road by mirroring those properties in terms of building width, height and length as well



# Agenda Item 5

as roof pitch and, main ridge and eaves height. The proposal continues the building line and set back and would result in a terrace of three houses. This would mirror the terrace of three properties directly opposite the site and therefore the resultant design is considered consistent with the overall character of the Conservation Area and in keeping with the existing streetscene. The external design is the same as that previously approved under CR/2020/0054/FUL for the extension scheme.

- 5.6 The existing two houses have been constructed from local stock brick with red brick detailing around the windows and doors and interlocking quoins and, slate roofs. The proposed new house would replicate the detailing from No.9 Mill Road and the surrounding properties by matching the existing brick and roof materials. The detailing of the quoins and around windows/doors would also match the existing houses. A condition is recommended for any permission to ensure the exact specification of these materials and the detailing is controlled.
- 5.7 Chimneys are a prominent feature of the Conservation Area providing historic context and visual interest. The proposal includes a chimney stack to match the adjacent existing dwellings chimney stack which also includes the characteristic red brick detailing. Any permission would include a condition to ensure the materials and detailing of the chimney are in keeping with the character of the Hazelwick Road Conservation Area.
- 5.8 Recessed doorways, are a feature of a number of houses in the area and the proposal includes a recessed doorway and brick detailing which is in keeping with properties within the Conservation Area. A painted timber 4 panel front door with fan light window is proposed to the front elevation of the new house which would match the traditional entrances that are a characteristic of some houses in the Conservation Area.
- 5.9 Windows within the area are traditionally wood framed vertical sliding sashes. The application continues this feature by proposing wooden framed sliding sash windows. The proportions and pattern of windows match No.9 Mill Road reflecting the character and appearance of the Conservation Area. A condition is recommended to require details of the window joinery to be approved and then implemented. An aluminium bi-fold door is proposed to the rear of the property. This is different from the traditional rear of properties in the Conservation Area but is not visible from any public viewpoints and it is not considered to be harmful to the character of the Conservation Area.
- 5.10 Boundary treatments within the Conservation Area frequently take the form of low brick front walls with capped piers. Other low level boundary treatments include wooden fencing, concrete walls or hedging which are more recent and less sympathetic to the Conservation Area setting and detract from its character. The proposal includes a low level brick wall with capped brick piers and railings along the front boundary. This is considered to be a more traditional form of boundary treatment that would be in keeping with the character of the Conservation Area and an improvement on the existing pierced concrete wall.
- 5.11 It is considered that the proposals would therefore be of an acceptable siting, scale, design and materials, and would not harm the appearance of the dwelling or the street-scene of Mill Road. It is therefore considered that the development would be in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan (2015-2030). It is also considered that the proposal would not conflict with the aims of the heritage policies that seek to preserve or enhance the character and appearance of the Conservation Area. The proposal would not result in harm to this heritage asset. The proposal would therefore also be in accordance with Local Plan Policy CH13: Conservation Areas.

## The impact upon neighbouring properties and occupants amenities

- 5.12 This application would maintain a 0.7m gap between the north side elevation of the new house and the fence boundary to the rear of Millbrook House. To the north of the fence is the parking area and front patio amenity area for the flats in Millbrook House. Millbrook House itself is approximately 14m from the proposed north side elevation. Approximately 1m of the length of the single storey rear extension would be alongside the rear garden of No.24 Hazelwick Road. An obscure glazed landing window is proposed on the north side elevation at the first floor level facing Millbrook House. It is considered that the 14m proposed distance between the north side elevation and facing properties, (the Urban Design Guidance recommends a distance of at least 10.5m between a blank two storey

# Agenda Item 5

elevation and facing habitable windows), and that the only window would be obscure glazed and fixed shut to 1.7m from ground level is sufficient to prevent the development having a harmful impact upon the amenities of occupiers of Millbrook House and No.24 Hazelwick Road.

- 5.13 To the east of the site is the rear garden of No.18 Hazelwick Road. This neighbouring house has a garden that is approximately 31m in length and the proposals themselves would be located 20 metres from the boundary with this garden. It is therefore considered that as there would be approximately 50m between facing windows and an adequate length of garden would be maintained, the proposal would not cause harm to the amenity of the occupants of this property.
- 5.14 To the south of the site is No.7 Mill Road which is attached to No.9 Mill Road. The proposed single storey extension to the existing house, No.9, would have the same projection to the rear as the neighbours existing single storey rear extension. The proposed extension would have a flat roof and would be 3.5 metres in height. It is not considered that this increase in height would impact on the amenity of the occupiers of No.7 Mill Road in relation to dominance or overshadowing or a loss of privacy, due to the neighbours extension being immediate adjacent to the proposal.
- 5.15 The front elevation of the proposed house would be in line with the front elevation of No.9 Mill Road and would be located opposite No.12 Mill Road, on the other (west) side of the street. The gap between the front elevation of the new dwelling and the front elevation of 12 Mill Road would be 9 metres and would include the intervening public highway. As a result the relationship would be the same as the existing houses facing each other along Mill Road, and it is not considered that the proposal would cause a harmful loss of light, outlook or privacy.
- 5.16 In summary it is considered that the proposal would comply with Policy CH3 of the Local Plan and guidance contained within the Urban Design SPD in terms of neighbour impacts. The impact of the proposed parking provision on residential amenity is addressed in the highways and parking provision section below.

## Parking and Highway Safety

- 5.17 Policy CH3 'Normal Requirements of All New Development' of the Crawley Borough Local Plan states that all proposals for development will be required to meet the requirements necessary for their safe and proper use, in particular access, circulation and manoeuvring, vehicle and cycle parking. Policy IN4 'Car and Cycle Parking Standards' states that development will only be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs. The borough's parking standards contained within the Urban Design SPD seek a minimum of 2-3 spaces for a 3 plus bedroom dwelling in the Three Bridges Zone.
- 5.18 The existing property at No.9 Mill Road currently has a garage and space for the parking of 2 vehicles to the side of the dwelling off-street. WSCC Highways advises that the existing garage is not deemed to be fit for purpose and would not contribute to the parking provision of the existing dwelling. The proposal would result in the loss of the existing off-street parking provision for the existing property and there would be no car-parking provision for the new property. With the internal alterations to the dwelling resulting in a 2 bedroom property, this would now require 1.2 – 1.5 spaces. The new 3 bedroom dwelling would require 2 – 3 spaces. In total the Urban Design SPD guidance recommends that there should be a minimum of 3.2 - 4.5 off-street car-parking spaces for the two resultant houses.
- 5.19 A number of comments from neighbours have been received with regards to parking that raise concerns that the proposal would increase parking pressure in the area, that would create problems for residents that would be unable to park in the locality. Concerns are also raised that this would create a highway safety issue as there would be cars parked in inappropriate locations.
- 5.20 WSCC Highways (Local Highway Authority, LHA) has advised that the proposal would see the loss of the 2 existing on-site parking spaces and that the Planning Authority should consider this against local parking standards and comment that the new dwelling will also require 2-3 spaces that also will need to be located on street.

# Agenda Item 5

- 5.21 The LHA advises that the loss of the parking spaces in a highly sustainable area such as this, would not result in an unacceptable highway safety issue or result in severe cumulative impacts on the operation of the highway network. It suggests that CBC may wish to consider the amenity implications caused by a small increase in the on-street parking demand as well as securing cycle parking to Crawley parking standards to help mitigate the vehicle displacement.
- 5.22 The LHA concluded that the proposal would not have a 'severe' impact on the operation of the highway network and would not be contrary to the National Planning Policy Framework (paragraph 109), and that therefore there are no transport grounds to resist the proposal.
- 5.23 Further advice was sought from the LHA following the deferral by the Planning Committee on the 6<sup>th</sup> June. The LHA declined to undertake a site visit and advised that there was no real justification/benefit for this given that it was satisfied with the proposal and would not be changing its recommendation in relation to the impact upon highway safety or capacity. It stated that "...*Mill Road is a lightly trafficked one way road, with Traffic Regulation Order (TRO) protection*".
- 5.24 In regard to controls whilst the development is being implemented, the LHA has advised that it is a legal offence under the Highways Act to obstruct the highway, while delivery lorries would only cause a minor disruption. Materials being left on the highway would also be considered as an obstruction of the highway. This means the LHA can enforce against obstructions of the highway or if its deemed unsafe, this would be enforced by Sussex Police. The applicant could however apply for a license to suspend the Traffic Regulation Order (TRO) in this location and could also apply for a license to store materials on the highway. These would be subject to their own criteria during the course of the application process.
- 5.25 The site is located within a Controlled Parking Zone where residents can apply for a permit to allow them to park within the area during the restricted times. The zone has restricted parking to permit holders only between 9am – 5pm Monday to Saturday. Zone F2 includes Mill Road, New Street, Hazelwick Road, Crabbet Road and part of Three Bridges Road.
- 5.26 CBC Parking Services has confirmed that over 80% of the permits for this zone (F2) have been issued. There is therefore capacity to issue additional parking permits for this area. Parking Services have objected to the proposal, commenting that currently the house has off road parking, but the proposal would build on the parking area, so there would be no parking for either property; and that each building should ideally have 2 spaces allocated.
- 5.27 However, officers consider that the proposal would not materially add to parking stress in the area during the hours of operation of the controlled parking zone as there is spare capacity. The same conclusions were reached with the earlier applications, including CR/2018/0923/FUL for a new dwelling, that was not refused on highways/parking grounds.
- 5.28 A lack of parking spaces in the evenings and on Sundays, (when the controlled parking zone is not in operation), has been raised by residents. In the evening there are no restrictions in the bays, this area is always under pressure from residents and from those using the train station. Whilst the proposal would result in the loss of 2 off road parking spaces, it is not considered that this would make the situation materially worse to justify a reason for refusal on these grounds.
- 5.29 Since the committee on the 6<sup>th</sup> June officers have undertaken a number of visits in order to count the available parking spaces at various times during the day and evenings as shown in the table below:

	New Street	Mill Road (one-way)	Hazelwick Road	Mill Road (two-way) up to the corner
<b>8th June @ 12:00 (Wednesday)</b>	<b>8</b>	<b>1</b>	<b>In excess of 20 spaces free</b>	<b>6</b>

# Agenda Item 5

9th June @ 21:20 (Thursday)	3	0	13	4
13th June @ 14:30 (Monday)	8	3	In excess of 25 spaces free	7
16th June @ 21:00 (Thursday)	1	1	13	3
22nd June @ 11.05 (Wednesday)	10	1	In excess of 20 spaces free	4
25 <sup>th</sup> June @10.45 (Saturday)	9	3	In excess of 25 spaces free	5
25 <sup>th</sup> June @ 17:10 (Saturday)	9	1	24	5
26 <sup>th</sup> June@ 15:00 (Sunday)	3	0	15	3

- 5.30 It was found that on-street parking was available close to the application site at every visit. The evidence from the surveys therefore further confirms officers' views that there is adequate on-street parking provision within the area to accommodate the loss of parking spaces on the application site, and the proposal would not result in an impact on on-street parking that would have adverse effects on the operation of the highway or the amenity of the area.
- 5.31 It is therefore considered that although there would be a shortfall of 4 onsite spaces, the existing on-street parking arrangements in the daytime and the spaces available in the evening in the nearby area would be sufficient to meet the demand created by this proposal and would not make the parking situation materially worse.
- 5.32 Neither house would be provided with rear access, and it has not been demonstrated how cycle parking would be provided. Space would be limited in the front garden, but there would be adequate space in the rear gardens for cycle storage. Whilst it is not considered ideal that cycles would have to be wheeled though the house to be stored, adequate cycle parking can be provided for both houses. It is therefore recommended that the provision of cycle parking should be controlled by condition.
- 5.33 Whilst the proposal does not meet the Borough Council's indicative car-parking standards, the site is in a highly sustainable location close to public transport and local facilities, where it is not unusual for dwellings to have no off-site parking. It is also considered there is sufficient parking capacity on-street within the area to meet the needs of the development. The proposals could also provide adequate cycle parking. It is therefore considered to be in accordance with Policy CH3 of the Local Plan and Annex 1 of the Urban Design SPD.

## Living conditions of future occupiers

- 5.34 Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, which is based on the Nationally Described Space Standards (NDSS). According to Policy CH5, a three storey 3 bedroom dwelling for 4 persons should provide a minimum internal floorspace of 90 sqm. The internal

# Agenda Item 5

floorspace of this dwelling would be 104sqm which meets the standard. The floor to ceiling height of the main living area would be 2.6m which meets the 2.3m standard.

- 5.35 The proposed double bedroom would have a floor area of 17sqm and a width of 4.5m which meets the 11.5sqm space standard and 2.75m width requirements of the NDSS and Local Plan Policy CH5. Bedroom 2 (single bedroom) has a floor area of 9sqm and width of 2.6m and bedroom 3 (single bedroom) has a floor area of 7.9sqm and a width of 2.3m. Both single bedrooms meet also the 7.5sqm space standard and 2.1m width standards of the NDSS and policy CH5. Each habitable room would also be provided with a window that would provide occupants with an outlook. The proposed dwelling would therefore comply with the minimum National Space Standards, resulting in acceptable living accommodation being provided.
- 5.36 Urban Design SPD (adopted October 2016). The SPD sets out Crawley's outdoor amenity space standards. For a dwelling for 4 occupants the external private amenity space standard is 75sqm. The proposal would result in approximately 73sqm of external private amenity space therefore is slightly short of the standards but given this would be a minimal short fall it would be acceptable. The resulting amenity space at No.9 Mill Road would be 60sqm. This would be a two-bedroom property where 60sqm of external private amenity space is required. It is therefore considered that the proposal would meet these standards. It is considered that both properties would provide an acceptable amount of useable external private amenity space.
- 5.37 It should be noted that no refuse/recycling storage details have been submitted as part of the application, although there would be space in the small front gardens for these. As this has not been specified on the submitted plans, any permission should require a condition to address this.

## Flood Risk

- 5.38 The Planning Committee of 6<sup>th</sup> June 2022 required clarification of the flood risk zones due to the existence of differing flood risk maps being available on the Environment Agency website and these being different from the flood risk maps used by the Local Planning Authority. The Environment Agency has confirmed that the flood risk map to be used for determining planning applications is different from the long-term flood risk map (it has published on its website) and that on this basis the description of the flood risk that applies to the site is as set out in paragraphs 5.39-5.44 below.
- 5.39 As noted in the earlier report to committee, the boundaries of the flood risk zones cut across the application site, with most of the application site being within Flood Zone 1, with a small part in Flood Zone 2. Looking at the flood risk map in detail this shows that the front of the existing dwelling is in Flood Zone 1, with the rear portion of the existing house and its retained rear garden being in Flood Zone 2. The northern half of the application site would form the plot for the new dwelling which would be in Flood Zone 1, apart from the south-east corner of the single storey rear element and part of the rear garden, which is Flood Zone 2.
- 5.40 At the time of the earlier refused application for a new house on this site ref. CR/2018/0923/FUL, the development would have been in Flood Zone 3a, however the Environment Agency has since remodelled the flood risk of the area and the proposal now falls mostly within Flood Zone 1, with the garden and part of the existing house within Flood Zone 2. The risk of flooding to the development site has therefore substantially reduced.
- 5.41 The extension to 9 Mill Road would be classed as a 'minor development' as it would measure less than 250sqm of floorspace. Therefore the Environment Agency's Standing Advice would need to be applied. This states that finished floor levels (FFL) need to no lower than the existing floor level. Extra flood resistance and resilience measures would need to be provided. The plans show that the FFL of the extension would be the same as the existing dwelling which would be +69.8m which would be 300mm higher than the external ground level at the rear of the existing dwelling. In terms of flood resilience measures a condition is recommended to ensure that these measures are provided before the dwelling is occupied. This approach was accepted in regard to the application for the extension in 2020.

# Agenda Item 5

- 5.42 In regard to the new house the majority of the property would be located within Flood Zone 1, with only a small portion of the single storey rear element within Flood Zone 2. This would cover less than 8% of the ground floor area of the building and would be used as a kitchen / dining room. In these circumstances it is considered that the development would be classed as appropriate and therefore the sequential test has been followed by steering new development to FZ1 and FZ2. Further the finished floor level would match that of the existing property at 9 Mill Road.
- 5.43 Crawley Borough Council's Drainage Engineer was consulted on the application and advised that the ground floors of the new dwelling and the extension that lie within Flood Zone 2 should not be used for sleeping. The new finished floor level (FFL) should not be higher than the existing FFL (+69.8m), but rather the property should be allowed to flood (so that it does not take up area out of the flood plain) while flood resilience measures and materials should be used for construction. A condition is recommended to ensure flood resilience measures and the floor levels are implemented in accordance with these requirements..
- 5.44 It is considered that the proposal would not result in an adverse impact in regard to flood risk or drainage, subject to conditions and as such would accord with development plan policy in this regard.

## Sustainability

- 5.45 Policies ENV6 and ENV9 and the Planning & Climate Change SPD are relevant to this proposal from a climate change mitigation & adaptation perspective. ENV6 requires the submission of a Sustainability Statement responding to the six 'sustainability objectives' set out in the policy. It requires that new homes meet the on-site energy performance standards of Building Regulations, and any subsequent increased requirements. ENV9 requires that new dwellings meet the 'optional' Building Regulations water efficiency limit of 110 litres per person per day. The Planning & Climate Change SPD provides further guidance as to how applications can comply with these requirements.
- 5.46 The proposal is supported by a Sustainability/Energy Efficiency Statement. This identifies the policies outlined above and sets out briefly and in qualitative terms how the proposal seeks to respond to them. It states that the development will meet baseline national Building Regulations standards, although it is not clear by how much, if at all, it would exceed them. Other measures are identified, including the specification of energy efficient lighting and white goods, the upgrading of the heating system of the existing building, smart energy metering, aspirations to limit waste and the loss of embodied carbon as part of the construction process, and the intention to adhere to the 110 litres/person/day water efficiency requirement.
- 5.47 The above measures effectively meet the minimum requirements of the identified Local Plan policies for a development of this scale, and are therefore considered acceptable from the Local Plan perspective subject to the imposition of the conditions relating to the implementation of the measures identified in the Sustainability/Energy Efficiency Statement.

## Affordable housing, CIL and other requirements

- 5.48 Crawley Borough Local Plan Policy H4, in respect of affordable housing, states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less, a commuted sum towards off-site affordable housing provision will be sought. The Affordable Housing SPD, sets out how financial contributions for the creation of new dwellings on sites of 5 or less will be secured in accordance with policy H4. The policy also states that these targets will apply to all residential developments unless evidence can be provided to show that the site cannot support these requirements from a viability perspective.
- 5.49 Using the affordable housing calculator within the Affordable Housing SPD, the applicant would be required to pay a contribution of £12,950 based on an internal floor area of 111sqm. During the course of the application, the applicant has agreed to provide a commuted sum of £12,950 towards affordable housing provision elsewhere which would be secured by a S106 legal agreement. As such the proposal would be in accordance with Policy H4 of the Crawley Borough Local Plan (2015-2030).

# Agenda Item 5

- 5.50 This application would be liable for the Community Infrastructure Levy (CIL) which came into effect on 17th August 2016. The final CIL charge will be communicated to the applicant via the development's Liability Notice.
- 5.51 Policy CH6 requires a new tree to be planted for each new dwelling. This can be accommodated on the site as part of an agreed landscaping scheme, which can be secured by a condition.

## Water Neutrality

- 5.52 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.
- 5.53 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.
- 5.54 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 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.
- 5.55 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.
- 5.56 The submitted water neutrality statement has been independently assessed for CBC by specialist consultant who has advised that on the basis of the information provided it has been shown beyond reasonable scientific doubt that the development would be water neutral. The proposed development includes the refurbishment of the existing dwelling and the construction of a new dwelling. The refurbishment of the existing dwelling enables full replacement of the existing water fixtures and fittings, and will result in a reduction in bedrooms to two, whilst the proposed new dwelling will have three bedrooms. An occupancy rate of four is assumed in each dwelling which is reasonable, especially given the proposed fixtures and fittings will be the same in each dwelling, and the occupancy rate assumed in the existing water use calculation.
- 5.57 The applicant proposes to install water efficient fittings and has provided a list of the products and specifications. The water demand is calculated using the Building Regs Part G methodology. The product specifications were checked, and all fittings performed overall at or better than the consumption rates used in the calculation and the calculation is therefore precautionary. Additional water savings will be achieved by installing grey water recycling for toilet flushing only. The required use for toilets is approximately 25% of the available grey water and therefore it is reasonable to assume that this would be acceptable. The calculated water demand for the two dwellings, and eight persons, in the proposed case of 584 litres per day is therefore considered robust.
- 5.58 Officers and our consultants have considered the water calculations and other details submitted, and agree with the assumptions and conclusions. It is therefore considered that, assuming the

# Agenda Item 5

development is implemented in accordance with the evidence provided, by installing all the specified fixtures and fittings and use of grey water recycling, the development would be water neutral. A S106 legal agreement is required to ensure the measures proposed by the applicant which relate to the 2 properties involved are fully implemented before the new dwelling is occupied and secured in perpetuity. The s106 agreement would ensure that the obligations apply to the owner(s) of the site and any successors in title, when the site is sold on.

- 5.59 Based on these findings an Appropriate Assessment document has been prepared by Officers and sent to Natural England for comment (as required under Habitat Regulations). No comments have been received from Natural England and the application therefore is delegated to the Head of Economy and Planning with a recommendation to permit subject to the receipt of Natural England's response.

## **CONCLUSIONS:-**

- 6.1 The proposal has been designed so that it would be in keeping with the scale and character of the existing site and surrounding area. The proposal is also considered to preserve and enhance the character and appearance of the Conservation Area. The proposal is not considered to adversely impact upon residential amenity in terms of loss of light, loss of privacy or an overbearing impact. In terms of parking, whilst the loss of two/three parking spaces is acknowledged, this is a sustainable location, where there is capacity on the nearby roads to accommodate further vehicles associated with the existing and the new dwelling. The loss of these spaces would not therefore make the situation materially worse for the residents and there would be no highway safety/capacity issues as a result of the loss of spaces. It is considered that the proposal for a new dwelling would not result in an adverse impact in regard to Flood Risk. The applicant has also demonstrated that the proposal would be water neutral, and an affordable housing contribution is to be secured by legal agreement.
- 6.2 As a result, the proposal is considered to accord with the policies and objectives outlined in the Crawley Borough Local Plan (2015-2030), the Supplementary Planning Guidance notes and the NPPF (2021). It is therefore recommended to grant planning permission subject to the conclusion of the s106 agreement, the receipt of a response from Natural England with regards to water neutrality and subject to the imposition of relevant conditions.

## **RECOMMENDATION RE: CR/2021/0844/FUL**

Delegate the decision to **PERMIT** the application to the Head of Economy and Planning, subject to the conclusion of the consultation with Natural England, the conclusion of a Section 106 legal agreement to secure the affordable housing contribution, water neutrality measures and the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development above slab level shall be carried out unless and until a schedule of materials, samples of such materials and finishes and colours to be used for external walls, roof and chimney of the proposed dwelling, and details of the brick detailing shall be submitted to and approved by the Local Planning Authority in writing and all materials and detailing used shall conform to those approved.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.



# Agenda Item 5

4. Prior to their installation, details of the windows and door joinery, and rainwater goods, soil and other waste pipes, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include the materials, method of opening and large scale plans showing sections through glazing bars (1:20 plans and 1:1 or 1:2 sections). The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policies CH3 and CH13 of the Crawley Borough Local Plan 2015 – 2030
5. Prior to the occupation of the development hereby permitted, details of covered and secure cycle parking and refuse storage for the existing and the proposed dwelling shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details  
REASON: In the interests of road safety and sustainable development, to meet the operational needs of the development and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. No development above slab level shall be carried out unless and until details of flood resilience measures have been submitted to and approved in writing by the Local Planning Authority. These measures shall relate to both the new dwelling and the ground floor extension at 9 Mill Road and shall include the following mitigation measures:
  - i) Finished floor levels shall be set no lower than that of the existing dwelling
  - ii) No provision for ground floor sleeping is introduced.
  - iii) Flood resilience measures and materials to be used for construction purposes

Only the approved details shall be implemented and they shall be retained thereafter.  
REASON: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
7. The new dwelling shall not be occupied until the measures detailed in the submitted Sustainability/Energy Efficiency Statement dated 11 November 2021 have been implemented, and until design-stage SAP calculation summaries for the new dwelling consistent with, or improving upon, the identified level of environmental performance, have been submitted to, and approved in writing by, the Local Planning Authority. Only the approved details shall be implemented.  
REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning & Climate Change Supplementary Planning Document.
8. The new dwelling hereby permitted shall not exceed 9.4m above the existing ground level when measured to the top of the chimney pots to ensure that the new dwelling matches the height of 9 Mill Road.  
REASON: In the interests of visual amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
9. Notwithstanding the provisions of Schedule 2, Part 1, Class A, Class B, Class C, Class D, Class E and Class F of the Town and Country Planning General Permitted Development Order 2015 (as amended) or orders amending or revoking and re-enacting the same, the buildings hereby approved shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.  
REASON: In order to safeguard the character and visual amenities of the Conservation Area, to protect the amenities and privacy of the adjoining properties and to prevent obstruction to the flow and storage of floodwater, with a consequent increased risk of flooding, in accordance with policies CH3, CH13 and ENV8 of the Crawley Borough Local Plan 2015-2030.
10. The first floor window on the north elevation of the building shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening to a height of 1.7m from floor level.

# Agenda Item 5

REASON: To protect the amenities and privacy of the adjoining property, in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows or other openings (other than those shown on the plans hereby approved) shall be formed in any elevation or the roof of the proposed dwellings without the prior permission of the Local Planning Authority on an application in that behalf.

REASON: To protect the amenities of adjoining residential properties against overlooking and loss of privacy in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

12. No development above slab level shall take place unless and until a scheme to provide superfast broadband to the dwelling hereby approved has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to the occupation of the dwelling unless otherwise agreed in writing by the Local Planning Authority.

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

13. No development above slab level shall take place until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme. The approved details of the landscaping, which shall include a tree in the garden of the new dwelling, shall be carried out in the first planting and seeding season, following the occupation of the dwelling or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the amenity and of the environment of the development in accordance with Policy CH3 and CH6 of the Crawley Borough Local Plan 2015 - 2030.

## INFORMATIVE

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. The applicant is advised to avoid peak times when receiving deliveries to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users.

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

- Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.

# Agenda Item 5

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

## 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:

- Seeking additional information to address identified issues during the course of the application.

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

# Agenda Item 5



## ArcGIS Web Map

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



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