

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Rooms A & B - Town Hall**, on **Tuesday, 30 August 2022 at 7.30 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 Mwagale, 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 |
|--|----------------------------|----------|
| 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 any councillors who have been lobbied, received correspondence, or been approached by an interested party regarding any planning matter to declare this at the meeting at which the matter is being considered. Councillors should declare if they have been lobbied at this point in the meeting. | | |
| 4. Minutes | | 5 - 10 |
| To approve as a correct record the minutes of the Planning Committee held on 12 July 2022. | | |
| 5. Planning Application CR/2020/0024/FUL - Longley House, East Park, Southgate | Southgate | 11 - 68 |
| To consider report PES/405a of the Head of Economy and Planning. | | |
| RECOMMENDATION to PERMIT. | | |
| 6. Planning Application CR/2020/0192/RG3 - Breezehurst Playing Fields, Breezehurst Drive, Bewbush | Bewbush & North Broadfield | 69 - 122 |
| To consider report PES/405b of the Head of Economy and Planning. | | |
| RECOMMENDATION to PERMIT. | | |

| | Pages |
|--|--------------|
| 7. Section 106 Monies - Q3 2021/22 to Q1 2022/23 | 123 - 134 |
| To consider report PES/401 of the Head of Economy and Planning. | |
| 8. Supplemental Agenda | |
| Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972. | |

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

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Crawley Borough Council

Minutes of Planning Committee

Tuesday, 12 July 2022 at 7.00 pm

Councillors Present:

R D Burrett (Chair)

Y Khan (Vice-Chair)

Z Ali, A Belben, K L Jaggard, S Mullins, M Mwagale, S Pritchard, S Raja and S Sivarajah

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

Apologies for Absence:

Councillor S Malik

1. Disclosures of Interest

No disclosures of interests were made.

Councillor A Belben highlighted that he had declared an interest at the previous Planning Committee meeting at which planning application CR/2021/0844/FUL was considered (*a neighbour of the site, who had raised an objection to the application, was known to him*). It was clarified that this person was no longer a neighbour of the site in question so the interest was not relevant on this occasion.

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 6 June 2022 were approved as a correct record and signed by the Chair subject to the following amendments:

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- That Councillor S Sivarajah be marked as present at the meeting.
- That minute 5 (CR/2022/0034/TPO – 8 Haversham Close) be amended to show that Councillor S Pritchard had not visited the application site.

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

The Committee considered report [PES/404a](#) of the Head of Economy and Planning which proposed as follows:

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

Councillors Ali, A Belben, Burrett, Jaggard, S Mullins, Mwagale, Pritchard, Raja, and Sivarajah 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 application was originally considered by the Committee at its meeting on [6 June 2022](#) but was deferred to the 12 July meeting to allow officers to obtain clarification of the flood risk zone at the application site, seek further information regarding parking and access matters, and request that West Sussex County Council (WSSCC) as the Highways Authority visits the site. The Officer updated the Committee that, since the publication of the agenda, the following amendments to the report were required:

- Part of paragraph 5.13 was now to read, 'The neighbouring house has a garden that is approximately 31m in length and the proposals themselves would be located *14 metres at ground floor level and 16 metres at first floor level* from the boundary with this garden. It is therefore considered that as there would be approximately *30m* between facing windows...'
- Part of paragraph 5.34 was now to read, 'The internal floorspace of this dwelling would be *111sqm* which meets the standard.'

The Officer also updated the Committee that a further representation in objection to the application had been received since the publication of the report. The representation consisted of a letter and petition signed by 13 residents (11 of whom resided on Mill Road or the adjacent Hazelwick Road), and this was read to the Committee in full.

The Officer provided updates on the three matters relating to the deferral of the application.

- Flood risk:
The Committee had previously identified two different flood maps which gave conflicting information about the flood risk zone at the site. The Environment Agency (EA) had since confirmed that the map to be used for planning application purposes showed the majority of the site as being in flood zone 1 (with a small portion in zone 2). This map was a re-modelled, more precise, and more up-to-date version that replaced the map that had previously shown the site as in flood zone 3. The flood risk level was therefore reduced and this was a significant material change from earlier applications at the site.
- Parking:
The Committee had previously requested that WSSCC be asked to undertake a site visit to further assess the impact of the development on parking capacity in the area. WSSCC stated that there was no justification for doing so and

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emphasised its position that it had no objection to the application, and therefore declined to visit the site. Crawley Borough Council officers had since undertaken a number of site visits at different times, including weekends and evenings, to assess the local parking situation. A number of on-street parking spaces were available nearby at every site visit. The proposal was likely to result in only a small increase in demand for parking in the area.

- Construction vehicle access/storage of materials:
It was confirmed that the recommendation did not include a condition requiring a construction management plan – due to the small size of the site the storage location of construction materials/vehicles could not be pre-arranged on site. If the applicant sought to store building materials on the highway, a separate application would need to be made by the applicant to WSCC, which would consider the request. Vehicles delivering materials may impede the operation of the highway on a temporary basis but no more significantly than on other roads or for other deliveries.

The Committee then considered the application.

Following a query from a Committee member regarding the estimated water usage at the proposed development, the Planning Officer outlined the water neutrality consultation process. It was confirmed that the Council's consultants had independently assessed the evidence relating to the application and based on the evidence supplied and the measures being proposed, the development was considered to be water neutral. In order for the application to be granted planning permission, approval by Natural England (NE) was required and therefore the recommendation in the report was for the Committee to delegate the decision to permit the application to the Head of Economy and Planning, subject to the conclusion of consultation with NE. A response had been expected by 10 July, but this had not yet been provided due to staff sickness at NE. If NE had any objection on water usage grounds the application would not be permitted and would return to the Committee for further consideration.

Concerns were raised that Mill Road may be temporarily blocked while deliveries of building materials were being made to the site or when accessed by construction vehicles. It was suggested that this may cause traffic problems, or access issues for emergency vehicles, especially due to the narrow one-way nature of the road. The Committee noted that other large vehicles, e.g. those making parcel deliveries, were already likely to stop to load and unload along Mill Road however the unloading of construction materials was thought to cause road blockages for longer time periods. The Committee was notified that WSCC had no objection to the application on these grounds, and that it accounts for emergency vehicle access as part of its assessment of an application's impact on the highway.

Many Committee members expressed discontent regarding WSCC's refusal to undertake a site visit to assess the impact of the development on the highway. The Planning Officer advised that WSCC uses its own assessment tools when considering highways matters (e.g. road traffic accident data) and there was reasoning behind the lack of a site visit and the lack of objection to the application. However the Committee highlighted that the area was different in character to much of Crawley, as a one-way road with no pavements, and a site visit was considered important to understanding the traffic flow and parking in the area. The Committee discussed the findings of the site visits undertaken by Crawley Borough Council officers and in turn heard that a Committee member had found similar capacity while undertaking personal site visits, however had observed two cars as being parked unsafely (one double parked at a junction and one parked on double yellow lines) which suggested that all safe parking spaces had been in use when the cars had arrived, pointing to a lack of capacity on

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Mill Road. Committee members raised concerns about Mill Road residents having to walk to the far end of Hazelwick Road to park a vehicle. The Committee also discussed the controlled parking zone (CPZ).

Committee members agreed that they were aware of existing parking issues in Three Bridges and raised concerns that the addition of another dwelling and the loss of two off-street driveway parking spaces could amount to four extra cars on the road than presently, which had the potential to significantly diminish parking capacity in the area. This was considered to impact the operation and safety of the highway for car users and pedestrians, and also impede residents' ability to park their cars. It was also recognised that the Council's Parking Services Department had commented that CPZ permits remained available for the area, yet had still objected to the application on the grounds of a lack of parking provision.

Other matters were raised as part of the discussion:

- Confirmation was given that planning permission had been granted in the past (and remained valid) for an extension to the existing dwelling.
- The flood risk zone map was noted but concerns remained about the potential for flooding at the site. It was clarified that flood resilient materials were proposed to be used as part of the mitigation measures, and that condition 6 set out that ground floor rooms in both the extension and the separate dwelling should not be used as primary sleeping accommodation. A concern was raised about how this would be monitored.
- Affordable housing contributions were usually made after the granting of planning permission and prior to the commencement of construction or occupation.
- Policy CH6 of the Local Plan required a tree to be planted as part of the application, and it was confirmed that this would be planted on site in the rear garden.
- It was highlighted that the Section 106 agreement was not yet completed.

The Committee then voted on the recommendation to delegate the decision to permit to the Head of Economy and Planning, as set out in the report. The recommendation was overturned unanimously.

The Head of Governance, People & Performance advised on Committee procedure following the overturn of an officer's recommendation. The Committee discussed alternative proposals at length and revisited key points from its discussion on the application. Concerns were raised regarding the lack of parking provision for the new house and the loss of parking from the existing property (particularly considering the unusual characteristics of the narrow one-way street) which was contrary to the Council's parking standards. It was agreed that this was a key reason for the Committee's vote against permission. The non-completion of the Section 106 agreement was recommended as a further refusal reason by the Planning Officer.

It was moved and seconded that the application be refused. The Committee voted on the proposal to refuse the application, which was agreed unanimously.

RESOLVED

Refuse for the following reasons:

The development by reason of its lack of parking would not meet the operational needs of the proposed house and existing house and would result in an adverse impact on the on-street parking in the area, increasing the hazards to users of the

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highway contrary to policies CH3 and IN4 of the Crawley Borough Local Plan 2015-30 and the guidance in the adopted Urban Design Supplementary Planning Document.

A legal agreement is not in place to secure the appropriate affordable housing contribution and water neutrality measures required to meet the development's off-site infrastructure requirements and secure the measures required to achieve water neutrality. The proposal is contrary to policies IN1, ENV2 and H4 of the Crawley Borough Local Plan 2015-2030, and fails to address the Natural England Position Statement on water neutrality received on 14 September 2021 that requires a 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.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.55 pm

R D Burrett (Chair)

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Agenda Item 5

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 30 August 2022
REPORT NO: PES/405(a)

REFERENCE NO: CR/2020/0024/FUL

LOCATION: [LONGLEY HOUSE, EAST PARK, SOUTHGATE, CRAWLEY](#)
WARD: Southgate
PROPOSAL: DEMOLITION OF LONGLEY HOUSE (OFFICES) & ERECTION OF BUILDING RANGING BETWEEN 4 TO 9 STOREYS TO PROVIDE 121 X RESIDENTIAL UNITS (CLASS C3) WITH ASSOCIATED SUB-STATION, CAR/CYCLE PARKING, TREE WORKS, PUBLIC REALM IMPROVEMENTS AND LANDSCAPING

TARGET DECISION DATE: 5 May 2020

CASE OFFICER: Mrs V. Cheesman

APPLICANT'S NAME: A2Dominion Group Ltd
AGENT'S NAME: Pegasus Group

PLANS & DRAWINGS CONSIDERED:

| Drawing Number | Revision | Drawing Title |
|-------------------------|-----------------|------------------------------------|
| LNG-ACG-XX-XX-DR-A-0800 | P3 | Site Location Plan |
| LNG-ACG-XX-XX-DR-A-0810 | P2 | Existing Block Plan |
| LNG-ACG-XX-XX-DR-A-0900 | P2 | Existing Site Plan |
| LNG-ACG-XX-00-DR-A-1051 | P1 | Existing Ground Floor Plan |
| LNG-ACG-XX-01-DR-A-1052 | P1 | Existing First Floor Plan |
| LNG-ACG-XX-02-DR-A-1053 | P1 | Existing Second Floor Plan |
| LNG-ACG-XX-03-DR-A-1054 | P1 | Existing Third Floor Plan |
| LNG-ACG-XX-RF-DR-A-1055 | P1 | Existing Roof Plan |
| LNG-ACG-XX-ZZ-DR-A-1101 | P2 | Existing North Elevation |
| LNG-ACG-XX-ZZ-DR-A-1102 | P2 | Existing East Elevation |
| LNG-ACG-XX-ZZ-DR-A-1103 | P1 | Existing South Elevation |
| LNG-ACG-XX-ZZ-DR-A-1104 | P1 | Existing West Elevation |
| LNG-ACG-XX-XX-DR-A-1201 | P1 | Existing Site Sections |
| LNG-ACG-XX-00-DR-A-1000 | P3 | Proposed Site Plan |
| LNG-ACG-XX-00-DR-A-2000 | P3 | Proposed Ground Floor Plan |
| LNG-ACG-XX-01-DR-A-2001 | A | Proposed First Floor Plan |
| LNG-ACG-XX-02-DR-A-2002 | P2 | Proposed Second Floor Plan |
| LNG-ACG-XX-03-DR-A-2003 | P2 | Proposed Third Floor Plan |
| LNG-ACG-XX-04-DR-A-2004 | P2 | Proposed Fourth Floor Plan |
| LNG-ACG-XX-05-DR-A-2005 | P2 | Proposed Fifth Floor Plan |
| LNG-ACG-XX-06-DR-A-2006 | P2 | Proposed Sixth Floor Plan |
| LNG-ACG-XX-07-DR-A-2007 | P2 | Proposed Seventh Floor Plan |
| LNG-ACG-XX-08-DR-A-2008 | P2 | Proposed Eighth Floor Plan |
| LNG-ACG-XX-RF-DR-A-2009 | P2 | Proposed Roof Plan |
| LNG-ACG-XX-ZZ-DR-A-4000 | P2 | Proposed North Elevation |
| LNG-ACG-XX-ZZ-DR-A-4001 | P2 | Proposed East Elevation |
| LNG-ACG-XX-ZZ-DR-A-4002 | P2 | Proposed South Elevation |
| LNG-ACG-XX-ZZ-DR-A-4003 | P2 | Proposed West Elevation |
| LNG-ACG-XX-ZZ-DR-A-4004 | P2 | Proposed West & South Elevations |
| LNG-ACG-XX-ZZ-DR-A-4006 | P2 | Proposed (Internal) West Elevation |
| LNG-ACG-XX-ZZ-DR-A-4007 | P2 | Proposed (Internal) East Elevation |
| P19-2154_02 | K | Illustrative Landscape Masterplan |

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| | | |
|-------------------------|---|--|
| P19-2154_03 | B | Indicative Lighting Strategy |
| P19-2154_04C | | Southern & Eastern Site Boundary Landscape Typical Tree Pit Details |
| LNG-ACG-XX-ZZ-DR-A-4010 | | Elevations North - Proposed - For illustration puroses |
| LNG-ACG-XX-ZZ-DR-A-4011 | | Elevation East Proposed for illustrative purposes |
| LNG-ACG-XX-ZZ-DR-A-4012 | | Elevations - South - Proposed - For illustrative purposes |
| LNG-ACG-XX-ZZ-DR-A-4013 | | Elevations - West - Proposed for Illustrative purposes |
| LNG-SKE-200911_01 | | Obscured Glazing |

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE

- 1.1 This application was considered at the meeting of the Planning Committee on 3rd November 2020. A copy of the original committee report is attached as Appendix A and the minutes of the item are attached as Appendix B at the end of this report, which include a revised set of conditions that were agreed at the Committee meeting.
- 1.2 It was resolved to grant planning permission for the development subject to the completion of a s106 agreement to secure the provision of affordable housing, infrastructure contributions (for open space and tree planting), the implementation of measures within the Travel Plan and the car park management scheme.
- 1.3 Since the Committee meeting, discussions had been ongoing to agree the wording of the various clauses of the s106 agreement. The agreement was close to completion, however, the Natural England Position Statement regarding water neutrality was received by the Local Planning Authority on 14th September 2021. As a consequence, the planning permission could not be issued until this matter is fully addressed. Further details have now been submitted in this regard. As a result, the application is being referred back to the Committee, so that this issue can be considered.
- 1.4 This report addresses the water neutrality situation and the mitigation measures now proposed which need to be secured in the s106 agreement. Amendments to the reasons for some of the suggested conditions are also required to reflect water neutrality requirements.

PLANNING CONSIDERATIONS:-

- 2.1 This report considers the specific matter of water neutrality which has arisen since the application was previously discussed by the Committee.

Water Neutrality

- 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 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.
- 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 impact on the Arun Valley sites. It advises that developments within this zone must not add to this impact.

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- 2.4 Under the Conservation of Habitats and Species Regulations 2017 (s.63), Crawley Borough Council (CBC) 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 from 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.
- 2.6 This application is one where the new development proposed for the site, which is residential, would use more water than the existing site use as offices, and thus in itself this application would not be water neutral. In these circumstances, water neutrality can only be achieved by having significant water efficiency measures built into the development *and* by providing offsetting measures off-site to reduce consumption from existing development elsewhere in the SNWRZ. It needs to be robustly demonstrated by the developer that they can deliver water neutrality for their proposals, and the measures will need to be secured by a s106 legal agreement.
- 2.7 In this regard a range of documents have been submitted with the application, including a “Water Neutrality Report” (which was updated to respond to queries from the Council’s consultants), “CBC Water Neutrality Strategy Combined”, “Water Off-Set Retrofitting Strategy (Phase 1)” with associated evidence, an “Energy and Sustainability Statement”, water usage records and bills, existing and proposed floorplans, and developer’s building specifications; along with supporting emails and other correspondence. This information has been independently assessed for CBC by a specialist consultant.
- 2.8 The review considered the existing water use of the office building, based on previous/existing occupancy, consideration of the existing building layout, the estimated age of the building and the associated water fittings and some evidence of metered consumption. An annual water consumption figure was calculated (and agreed by CBC’s consultants) as 2,546 litres per day for the existing office use.
- 2.9 The proposed water use of the new flats has also been calculated based on the proposed building layout and water fittings, an 88% occupancy level based on the Part G of the Building Regulations, and other likely ancillary water uses, such as external watering of the soft landscaped areas and the need to prevent vehicle washing on site. The scheme will include the installation of water efficient fixtures and fittings, plus grey water recycling throughout the whole building. Greywater is to be collected from all baths and showers and re-used to serve all WC’s within the flats. With these measures, total water consumption would be 80.3 litres per person per day for the affordable rent units, and 80.1 litres per person per day for the shared ownership units, both of which are well below the current local plan policy target of 110 litres per person per day.
- 2.10 Based on these assumptions, the water demand calculation for the new flats, again as agreed by CBC’s consultants, is 25,984 litres per day. The existing office water use of 2,546 litres per day can be deducted from this, giving a net water demand figure of 23,438 litres per day that is required to be offset.
- 2.11 This net water demand needs to be offset in order for the development to be water neutral. In this case the offsetting is to come from the Water Neutrality Retrofit Programme for Crawley Homes. This programme will deliver water savings from the existing Crawley Homes housing stock to offset the water consumption of a number of pilot schemes, (that includes Longley House and Breezehurst Drive) - to enable these key affordable housing schemes to be delivered.

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- 2.12 The proposal is that Crawley Homes stock will be retrofitted with a flow-regulator that is capable of reducing water consumption by an estimated 22%. These flow regulators are to be fitted at the cold water inlet to each dwelling, to restrict the flow rate of water entering the property. They can be supplied and fitted quickly, at a reasonable cost and without internal access to the house. The water savings are achieved primarily from fittings that run for a specific time, such as running taps and showers. However, the flow limiter does not have any effect on volume-limited fittings, such as toilets or baths. The product requires a qualified tradesperson to carry out the installation, which is a sealed unit that is permanently plumbed-in and cannot be adjusted by the occupant. In addition, the tenant would potentially be in breach of their Tenancy Agreement if they attempted to remove or replace this device without the Council's consent. This therefore provides added assurance that this measure, once installed, will not be tampered with and will provide long term water savings.
- 2.13 A contract has been awarded to Cenergist to deliver the scheme. This has commenced with an initial group of 100 properties, in order to ascertain the pace at which this programme can be rolled out and to verify the extent of water savings that can be achieved. Meter readings are being taken at appropriate times before and after fitting to demonstrate the water savings achieved. The data from this initial phase is currently being analysed. The next stage is to commission a further c1300 units to meet the offset requirements of the identified pilot schemes (which includes Longley House). A report was considered by Cabinet on 6th July 2020 and was ratified by Full Council to secure the appropriate budget for this next phase. Overall, up to 1500 properties can be retrofitted within the current available budget.
- 2.14 A key element in ensuring this strategy is robust is the need for an ongoing management and maintenance programme and in this regard, Crawley Homes already manages and maintains its existing housing stock, with an established regime in place. This will now include the monitoring and maintenance of this water saving device. CBC's water consultants therefore consider that the maintenance and enforcement of the proposed measures is manageable. In addition, given the size of the Crawley Homes stock at 8000+ dwellings there is sufficient capacity to draw on additional properties to deliver the water savings, should the pilot show that the savings per unit are lower than envisaged.
- 2.15 For Longley House, the assumption is that each property retrofitted with the flow-regulating device will deliver average water savings of 20 litres/per person/per day, and based on an average occupancy of 2.5 persons per dwelling, each property would therefore be expected to save 50 litres per day. In order for the Longley House scheme to be water neutral, and based on the above assumptions, this will require an estimated 469 Crawley Homes properties to be retrofitted with this particular water saving device. This would achieve a ratio of 3.9 retrofitted units for each new-build unit, which it is estimated, will be delivered over an approximate 4 to 5 month period based on 100 retrofits being completed per month. The cost is currently estimated at £143 per retrofitted property, resulting in an estimated cost requirement of £66,000 for Longley House to secure the necessary offsetting to achieve water neutrality. The figures have been rounded up for these calculations, but this currently equates to approximately £554 required for each new flat to achieve the required offset.
- 2.16 The construction period for Longley House is expected to be about 24 months. Factoring in the expiry of the judicial review period that would follow the completion of the S106 Agreement and issuing of the decision, the need to discharge conditions, other pre-commencement requirements and the appointment of contractors etc, it is anticipated that there would be a period of about 30 months from the date of permission being granted to completion of the works. There would therefore be a period in excess of two years for the necessary water off-sets to be provided whilst the new units are under construction and prior to their occupation. Indeed, it is expected that at least 100 retrofits can be provided per month, thereby providing the necessary off-sets (469) within an estimated 5-month period. This should provide sufficient comfort that the required off-set can be provided well ahead of occupation of the proposed flats, by which time the water savings can be evidenced and water neutrality can be demonstrated. Within these timeframes there is sufficient head-room to absorb any variations to the base assumptions, which have been stress-tested, to be satisfied that this scheme will achieve water neutrality prior to occupation of the new flats.

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- 2.17 Officers and our consultants have considered the reports and agree with the assumptions and conclusions. It is therefore considered that, assuming the development is implemented in accordance with the evidence provided, and the retrofitting occurs and makes the targeted water savings, the development would be 'water neutral'.
- 2.18 In order to ensure the measures proposed by the applicants are fully implemented, specific water neutrality clauses are required to be included in the legal agreement. These include:
- the implementation of the water efficiency measures in the new flats;
 - the implementation and ongoing maintenance of the greywater recycling system to serve the flats;
 - a contribution to be paid by the developer for the appropriate number of offsetting units in the Crawley Homes retrofitting scheme;
 - the management and monitoring of the Crawley Homes retrofitting scheme; and
 - limitations on the occupation of the new flats until the water savings from the Crawley Homes retrofitting scheme have been realised and that it has been robustly demonstrated that the required water savings have been achieved.
- 2.19 Based on these findings an Appropriate Assessment document is being prepared by Officers to be sent to Natural England for comment (as required under Habitat Regulations). A reasonable time period is required for that consultation.

Conditions

- 2.20 One of the suggested conditions and its reason has been to be amended to reflect the water neutrality situation. This is condition 23 – the landscape management plan. The original condition and informative regarding water efficiency (previously condition 27 and informative 4) are no longer required as these requirements will be secured in the legal agreement. A full set of the updated conditions and informatives are shown at the end of this report within the recommendation section.

CONCLUSIONS:-

- 3.1 As set out above, since the original resolution to grant planning permission in June 2020, the matter of water neutrality has arisen which has resulted in the applicant 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 clauses in the S106 agreement to ensure the measures that include the water efficiency measures in the new flats as well as the offsetting achieved through the Crawley Homes retrofitting programme contained within the submitted documents are fully implemented.
- 3.2 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 the conclusion of the consultation with Natural England, planning permission should be granted.

RECOMMENDATION RE: CR/2020/0024/FUL

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

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

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3. No works above ground level shall be carried out unless and until a schedule of materials and finishes, together with samples of such materials and finishes to be used for external walls, roofs, balconies and glazing of the proposed building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the agreed details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-
- the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - details of the area(s) subject to construction activity,
 - details of cranes and other tall construction equipment (including details of obstacle lighting)
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the height and areas for the storage of plant, equipment and materials used in construction of the development,
 - details of temporary lighting
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
 - details of a dust and smoke management plan.
 - control and disposal of putrescible waste to prevent attraction of birds.
 - site restoration.
 - protection and mitigation measures for wildlife and habitat.
- REASON: In the interests of highway safety, the amenities of the area, to ensure that the development does not endanger the safe movements of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids & surveillance equipment and to accord with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.
5. No on-site preparation works or development related to this planning permission shall take place until the approved details as set out in the Arboricultural Impact Assessment dated 20th December 2019 and the Arboricultural Method Statement dated 23rd December 2019 including the tree protection measures have been implemented in full. The development shall be implemented in accordance with the approved details and the tree protection measures shall thereafter be retained in accordance with the approved details throughout the construction period until the development is completed.
REASON: To ensure the retention and maintenance of trees important to the visual amenity and the environment of the development in accordance with Policy CH3 of Crawley Borough Local Plan 2015-2030 and the Green Infrastructure Supplementary Planning Document.
6. Development shall not begin until a scheme to deal with contamination of the site and / or ground water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all the following measures:
1. The submitted Desk Study entitled 'Desk Study and Preliminary Risk Assessment Report ' by ST Consult dated 11th November 2019.

and the following stages where required: -
 2. A Detailed Site Investigation. This shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology BS 10175:2011. The site investigation should fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications,

Agenda Item 5

including an assessment of risk to any potential receptors. A full report on the findings of the site investigation shall be submitted to the LPA

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

Development shall not commence until the measures approved in the scheme have been implemented.
REASON: To safeguard occupiers of the site in accordance with Policy ENV10 of the Crawley Borough Local Plan 2015 - 2030.

7. No building or structure that forms part of the development hereby permitted shall exceed 108.795m AOD.
REASON: To avoid any building/structure on the application site endangering the safe movement of aircraft and the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking and re-enacting this order with or without modification, no development, telecommunications equipment, renewable energy equipment, other equipment or advertisements other than those shown on the drawings hereby approved shall be installed or carried out on the roof of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.
REASON: To ensure that 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, to enable the Local Planning Authority to control extensions and alterations that could have significant visual impact and in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
9. Obstacle lights shall be placed on the four corners of the upper roof level. These obstacle lights must be Type B, steady state red lights at 32 candelas. Details of these lights can be found in Table Q-1. Characteristics of obstacle lights & Table Q-2. Light distribution for low intensity obstacle lights in Chapter Q – Visual Aids for Denoting Obstacles of CS ADR-DSN available at <https://www.easa.europa.eu/document-library/certification-specifications/cs-adr-dsn-issue-4>
The obstacle lights should be lit from 30 minutes before sunset to 30 minutes after sunrise.
REASON: Permanent illuminated obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
10. No works above ground level shall be carried out unless and until the following acoustic design details comprising the details of the balcony construction, the glazing, the acoustic barrier along the northern

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boundary, the ventilation system and the structural partitions between the service or plant areas and any residential dwelling have been submitted to and agreed in writing by the Local Planning Authority. Once so agreed the development shall be implemented in accordance with the approved details and maintained in perpetuity for the life of the development. The details shall include the design drawings, supporting documentation and scientific and technical details supporting the choice of design.

REASON: To prevent noise giving rise to significant adverse impacts on health and quality of life in accordance with paragraph 170 and 180 of the National Planning Policy Framework and the Noise Policy Statement for England and policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.

11. All plant, machinery and equipment (including fans, ducting and external openings) to be installed as part of the development shall be maintained and operated so as to prevent the transmission of noise and vibration into any premises either attached to, or in the vicinity of the premises to which the application refers.

REASON: To prevent noise giving rise to significant adverse impacts on health and quality of life in accordance with paragraph 170 and 180 of the National Planning Policy Framework and the Noise Policy Statement for England and policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.

12. No works above ground level shall be carried out until a scheme has been submitted to and agreed in writing by the Local Planning Authority in relation to the prevention of overheating in the dwellings. Once so agreed the scheme shall be implemented strictly in accordance with the agreed details and maintained in perpetuity for the life of the development. The scheme shall include a Chartered Institute of Building Service Engineers Technical Manual 59 (CIBSE TM:59) assessment for Design Standard Years (DSY) 1 for 2020's, 2050's and 2080's and must demonstrate a pass for all dwellings against DSY 1 2020's. DSY 1 shall be reported for 2050's and 2080's. In designing to prevent overheating then regard shall be had to the cooling hierarchy:

- Minimise internal heat generation through energy efficient design
- Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls
- Design to enable passive ventilation (e.g. cross ventilation)
- Provide mechanical ventilation
- Provide active cooling (ensuring they are the lowest carbon options).

REASON: To secure sustainable development in accordance with Chapter 2 of the NPPF and policies CH3 and ENV6 of the Crawley Borough Local Plan 2015-2030.

13. No works above ground level shall be carried out until a checklist of actions required to implement the mitigation and enhancement recommendations set out in the ecological assessment report by Ecology Solutions has been prepared and a copy sent to, and approved in writing by, the Local Planning Authority. The actions set out in the approved checklist shall be implemented in full unless otherwise approved in writing by the Local Planning Authority and a completed copy, signed by the project ecologist shall be submitted to the Local Planning Authority for approval prior to first occupation of any unit.

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 Local Plan and paragraph 175 of the NPPF.

14. No vehicles other than emergency and refuse vehicles shall be permitted to enter or exit the site via East Park.

REASON: In the interest of highway safety, the amenities of the area and to ensure a satisfactory standard of access to the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

15. No part of the development shall be occupied until a footway providing a continuous connection from the eastern boundary of the site to connect with the existing footway within the adjoining Arora Hotel site has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing.

Reason: In the interests of highway safety, improved connectivity and to accord with Policy CH3 of the Crawley Borough Local Plan 2015- 2030.

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16. The development shall not be occupied until the vehicle parking and turning spaces have been constructed and provided in accordance with the approved plans. These spaces shall thereafter only be used and retained for their designated use.
REASON: To provide adequate on-site parking and turning space for the development in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.
17. The development shall not be occupied unless and until the bollards and traffic barriers have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The bollards and barrier shall thereafter be retained as part of the development.
REASON: in the interest of road safety and amenity and in accordance with policy CH3 of the Crawley Borough Local Plan 2015 -2030
18. The development shall not be occupied until the cycle parking facilities have been provided in accordance with the details shown on approved plans, unless an alternative location is agreed by the Local Planning Authority in writing. These facilities shall thereafter be retained for their designated use.
REASON: To provide alternative travel options to the use of the car in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.
19. The development hereby approved shall not be occupied until the facilities for refuse and recycling bin storage and collection and access for collection have been provided in accordance with the approved plans and details, unless an alternative location is agreed by the Local Planning Authority in writing. The facilities shall subsequently be maintained and be retained for the use of residents.
REASON: To ensure the operational requirements of the site are met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
20. No works above ground level shall be carried out until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: To reduce the risk of flooding and safeguard future occupants of the site in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015 - 2030.
21. No above ground development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, new specimens to be planted and details of the boundary treatments, the external appearance of the sub -station, the electric vehicle charging points and external lighting. The scheme shall be implemented in accordance with the approved details.
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
22. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
23. No above ground development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas and water efficiency measures. The landscaping management plan shall be carried out as approved.
REASON: In the interests of the visual amenity of the area and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030 and, taking account of the Natural England Position Statement on water neutrality received on 14th September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley,

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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.

24. No development above slab level shall take place unless and until a scheme to provide combined television reception facilities and superfast broadband to the dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority. The approved facilities shall be made available to each individual unit prior to that unit being occupied. REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

25. Prior to their installation, details of rainwater goods, external extract grilles, pipes and flues shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: 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.

26. No development, except demolition of the existing building, shall commence until the following information has been submitted to and agreed in writing by the Local Planning Authority:

A) details of the communal gas heating system, referred to in the submitted Energy and Sustainability Strategy dated 6 January 2020, including provisions to enable potential connection to a future District Energy Scheme;

or

B) details of an alternative site-wide energy strategy, including verification that it will achieve:

- Lower CO2 emissions than the strategy detailed in the Energy and

Sustainability Strategy dated 6 January 2020, when both are assessed according to a version of the SAP methodology to be agreed with the local planning authority;

and,

- A standard of energy efficiency no worse than the strategy detailed in the Energy and Sustainability Strategy dated 6 January 2020, when both are assessed according to a version of the SAP methodology to be agreed with the local planning authority, OR additional CO2 reductions through the inclusion of further solar photovoltaics with an additional capacity of at least 10kWp over and above that described in the submitted Energy and Sustainability Strategy dated 6 January 2020.

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 SPD.

27. No works above ground level shall be carried out until full details of the PV solar energy scheme referred to in the submitted Energy and Sustainability Strategy dated 6 January 2020, or an alternative strategy agreed under condition 26, have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved solar energy scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development addresses energy efficiency and climate change, does not endanger the safe movement of aircraft or the operation of Gatwick Airport through glint and glare in

Agenda Item 5

accordance with Policies ENV6 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.

28. The residential units shall not be occupied until design-stage SAP calculation summaries for the development, detailing a level of environmental performance consistent with the submitted Energy and Sustainability Strategy dated 6 January 2020, or an alternative strategy agreed under condition 26, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD

29. The Bird Hazard Management Plan dated December 2019 shall be implemented as approved upon completion of the roof and shall remain in force for the life of the development. 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 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 policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE(S)

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. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at www.aoa.org.uk/policy-campaigns/operations-safety/

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, email 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:

a) 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.

b) 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.

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c) 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 benefiting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

4. The applicant is advised to consider the incorporation into the scheme of the Secured by Design measures set out in detail in the letter from Sussex Police dated 27th July 2020
5. The applicant is strongly encouraged to safeguard the space identified within the development to enable the building to be 'Network Ready' in the event the Town Centre Energy Scheme is delivered allowing the development to benefit from this technology.
6. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: A formal application for connection to the water supply is required in order to service this development.
For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at: developerservices@southernwater.co.uk
7. 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. The developer should demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to surface water drainage, Thames Water advise that where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

8. Due to the close proximity of the proposed demolition and erection of a new building to Network Rail land, the developer must contact Network Rail's Asset Protection team via AssetProtectionLondonSouthEast@networkrail.co.uk prior to any works commencing on site, with a view to enter into an Asset Protection Agreement to enable approval of detailed works. More information can also be obtained from the website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

As well as contacting the Asset Protection team, the applicant must follow Network Rail guidance for developments within close proximity to the operational railway.

9. The applicant may be required to apply for other consents directly from the Environment Agency. The term 'consent' covers consents, permissions or licences for different activities (such as water abstraction or discharging to a stream), and the EA have a regulatory role in issuing and monitoring them. The applicant should contact 03708506506 or consult the website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.

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 through pre-application discussions/correspondence.

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- 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.



ArcGIS Web Map



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

1:750



CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 3 November 2020
REPORT NO: PES/356(c)

REFERENCE NO: CR/2020/0024/FUL

LOCATION: [LONGLEY HOUSE, EAST PARK, SOUTHGATE, CRAWLEY](#)
WARD: Southgate
PROPOSAL: DEMOLITION OF LONGLEY HOUSE (OFFICES) & ERECTION OF BUILDING RANGING BETWEEN 4 TO 9 STOREYS TO PROVIDE 121 X RESIDENTIAL UNITS (CLASS C3) WITH ASSOCIATED SUB-STATION, CAR/CYCLE PARKING, TREE WORKS, PUBLIC REALM IMPROVEMENTS AND LANDSCAPING

TARGET DECISION DATE: 5 May 2020

CASE OFFICER: Mrs V. Cheesman

APPLICANT'S NAME: A2Dominion Group Ltd
AGENT'S NAME: Pegasus Group

PLANS & DRAWINGS CONSIDERED:

| Drawing Number | Revision | Drawing Title |
|-------------------------|----------|----------------------------|
| LNG-ACG-XX-XX-DR-A-0800 | P2 | Site Location Plan |
| LNG-ACG-XX-XX-DR-A-0810 | P2 | Existing Block Plan |
| LNG-ACG-XX-XX-DR-A-0900 | P2 | Existing Site Plan |
| LNG-ACG-XX-00-DR-A-1051 | P1 | Existing Ground Floor Plan |
| LNG-ACG-XX-01-DR-A-1052 | P1 | Existing First Floor Plan |
| LNG-ACG-XX-02-DR-A-1053 | P1 | Existing Second Floor Plan |
| LNG-ACG-XX-03-DR-A-1054 | P1 | Existing Third Floor Plan |
| LNG-ACG-XX-RF-DR-A-1055 | P1 | Existing Roof Plan |
| LNG-ACG-XX-ZZ-DR-A-1101 | P2 | Existing North Elevation |
| LNG-ACG-XX-ZZ-DR-A-1102 | P2 | Existing East Elevation |
| LNG-ACG-XX-ZZ-DR-A-1103 | P1 | Existing South Elevation |
| LNG-ACG-XX-ZZ-DR-A-1104 | P1 | Existing West Elevation |
| LNG-ACG-XX-XX-DR-A-1201 | P1 | Existing Site Sections |
| LNG-ACG-XX-00-DR-A-1000 | P3 | Proposed Site Plan |
| LNG-ACG-XX-00-DR-A-2000 | P3 | Proposed Ground Floor Plan |
| LNG-ACG-XX-01-DR-A-2001 | P2 | Proposed First Floor Plan |

| | | |
|-------------------------|----|--|
| LNG-ACG-XX-02-DR-A-2002 | P2 | Proposed Second Floor Plan |
| LNG-ACG-XX-03-DR-A-2003 | P2 | Proposed Third Floor Plan |
| LNG-ACG-XX-04-DR-A-2004 | P2 | Proposed Fourth Floor Plan |
| LNG-ACG-XX-05-DR-A-2005 | P2 | Proposed Fifth Floor Plan |
| LNG-ACG-XX-06-DR-A-2006 | P2 | Proposed Sixth Floor Plan |
| LNG-ACG-XX-07-DR-A-2007 | P2 | Proposed Seventh Floor Plan |
| LNG-ACG-XX-08-DR-A-2008 | P2 | Proposed Eighth Floor Plan |
| LNG-ACG-XX-RF-DR-A-2009 | P2 | Proposed Roof Plan |
| LNG-ACG-XX-ZZ-DR-A-4000 | P2 | Proposed North Elevation |
| LNG-ACG-XX-ZZ-DR-A-4001 | P2 | Proposed East Elevation |
| LNG-ACG-XX-ZZ-DR-A-4002 | P2 | Proposed South Elevation |
| LNG-ACG-XX-ZZ-DR-A-4003 | P2 | Proposed West Elevation |
| LNG-ACG-XX-ZZ-DR-A-4004 | P2 | Proposed West & South Elevations |
| LNG-ACG-XX-ZZ-DR-A-4006 | P2 | Proposed (Internal) West Elevation |
| LNG-ACG-XX-ZZ-DR-A-4007 | P2 | Proposed (Internal) East Elevation |
| P19-2154_02 | F | Illustrative Landscape Masterplan |
| P19-2154_03 | B | Indicative Lighting Strategy |
| P19-2154_04C | | Southern & Eastern Site Boundary Landscape Typical Tree Pit Details |
| LNG-ACG-XX-ZZ-DR-A-4010 | | Elevations North - Proposed - For illustrative purposes |
| LNG-ACG-XX-ZZ-DR-A-4011 | | Elevation East Proposed for illustrative purposes |
| LNG-ACG-XX-ZZ-DR-A-4012 | | Elevations - South - Proposed - For illustrative purposes |
| LNG-ACG-XX-ZZ-DR-A-4013 | | Elevations - West - Proposed for illustrative purposes |
| LNG-SKE-200911_01 | | Obscured Glazing |

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|--------------------------------------|--|
| 1. | GAL Aerodrome Safeguarding | No objections subject to conditions and Informatives |
| 2. | National Air Traffic Services (NATS) | No objections |
| 3. | WSCC Highways | No objections subject to conditions |
| 4. | WSCC Lead Local Flood Authority | No objections subject to conditions |
| 5. | WSCC Fire & Rescue | Comments provided |
| 6. | Crawley Cycle & Walking Forum | Comment on accessibility and ease of use of the cycle parking provision. |
| 7. | Environment Agency | No comments but Informatives required |
| 8. | Network Rail | No objections subject to Informatives |
| 9. | Thames Water | No objections subject to Informatives |
| 10. | Southern Water Ltd | No comments but Informatives required |

| | |
|--|---|
| 11. UK Power Networks | No comments received |
| 12. Police | No objections but advice provided |
| 13. CBC Housing Enabling & Development Manager | Supports the scheme |
| 14. CBC Planning Arboricultural Officer | No objections subject to conditions |
| 15. CBC Environment Team | No comments received |
| 16. CBC Contaminated Land | No objections subject to conditions |
| 17. CBC Environmental Health – Noise | No objections subject to conditions |
| 18. CBC Air Quality | No objections subject to conditions |
| 18. CBC Drainage Officer | No objections subject to conditions |
| 19. CBC Refuse & Recycling Team | No objections to revised proposals |
| 20. CBC Energy Efficiency & Sustainability | No objections subject to conditions |
| 21. CBC Retail & Employment | No policy objection to loss of employment floorspace in this location |
| 22. CBC Urban Design | Comments provided |
| 23. CBC Housing | No comments received |
| 24. CBC Economic Development | No comments received |
| 25. Ecology Officer | No objections subject to conditions |
| 26. Archaeology Officer | No archaeological concerns |
| 27. NHS Crawley Clinical Commissioning Group | Comments provided |
| 28. Sussex Building Control Partnership | No comments received |

NEIGHBOUR NOTIFICATIONS:-

1 to 4, 39 and 40 Clitherow Gardens
1 to 12, 14, and 15 Rosemead Gardens
1 to 3 Richmond Court
67 to 73 (odd numbers) East Park
5 Carlton Close, Southgate

Part Ground Floor, Zurich House, East Park
First Floor East, Zurich House
First Floor West Zurich House
East Wing Second Floor, Zurich House, East Park
Part Second Floor Zurich House
West Wing Second Floor Zurich House
Third Floor Zurich House

A to Z Designs Ltd, Ground Floor, Overline House
First Floor West Overline House
First Floor East Overline House
Phoenix 4 Trading Ltd, Part East Wing Second Floor Overline House
Beauty Bar, Gatwick Middle Part East Wing, Second Floor Overline House
West Wing Second Floor Overline House
Ocean City Recruitment Rooms 11 and 14 and 15 Second Floor Overline House
Part Third Floor West, Overline House
Part Third Floor East Wing Overline House
Fourth Floor Overline House
Fifth Floor Overline House
GN Associates Overline House

Arora Hotel, Southgate Avenue
Moka Station Way

RESPONSES RECEIVED:-

11 letters have been received from 8 households and one letter from the Property Management Company acting for Rosemead Gardens residents objecting to the scheme on the grounds of:

- No need for more housing in Crawley
- Site is not in the town centre, the railway line forms a natural break
- Lack of infrastructure (transport, doctors)
- Concern over removal of buildings that form part of Crawley's history
- Too many flats being built in Crawley
- Not enough parking, residents will need a car, Crawley is not like London where a car may not be needed, access problems, cars parked in street, will result in longer journeys to work, no visitor parking, difficult to join cycle lane in Southgate Avenue
- Building is too high at 9 storeys, unsympathetic design and appearance, out of character with the area and existing residential dwellings, overbearing presence
- Comparison to Overline House not applicable
- Impact on privacy, loss of light and sunlight, blocking view to sky, overlooking, affect enjoyment of gardens, noise from extra residents, traffic and the sub-station, light pollution
- Noise and disturbance during construction
- Will affect property values

Two letters of objection have been received from the Arora Hotel commenting that:

- The hotel was not involved in the pre-application consultation process, on the lack of publicity for the application and that the red line for the application site is incorrect and needs to include the access road to Southgate Avenue.
- Impact on the future operation of the hotel, the limited number of spaces will cause parking problems, manoeuvring spaces are not the correct dimensions, no electric vehicle charging points, lack of continuity of footpaths to the site and concern with increased pedestrian trips, quality of cycle parking provision, non-business use of access road not appropriate, safety audit required.
- Impact on privacy given close proximity of hotel windows to the flats and overlooking issues between occupiers
- Loss of sunlight, daylight and outlook for hotel bedrooms.
- Lack of amenity space for residents.
- The amended plans do not reduce the adverse impacts of the development on the hotel.

33 letters of no objection have been received, commenting that:

- More houses are needed in Crawley, people need places to live
- Good to see more homes for local people
- Support for affordable homes
- Design is good, looks decent
- Will not cause traffic problems
- There are too many office blocks
- It will be good to have more people living in the town centre
- It will benefit the local community
- Would like to see more parking.

REASON FOR REPORTING TO COMMITTEE:-

Major application.

THE APPLICATION SITE:-

- 1.1 The application site comprises the building and car park of Longley House, which is situated to the north east of the junction of East Park and Clitherow Gardens. The building is a late C20th purpose-built 4 storey office block with surrounding parking. Vehicular access/egress is from the east, from Southgate Avenue, running across the front of the Arora Hotel, into the site. There is pedestrian/cycle access only from East Park.

- 1.2 To the immediate east is the Arora Hotel. The residential houses in Clitherow Gardens lie to the southwest and those in Richmond Court are to the immediate south, and comprise a late C20th mixed housing development of predominantly two storey buildings arranged around cul-de-sacs. The Arun Valley railway line is to the north of the site, with Crawley Railway Station and Overline House, along with a surface car park, on the northern side of the railway line. Zurich House (former 3 storey offices being converted into residential with an additional 4th floor) is on the western boundary and beyond that to the west are the two storey late C19th/early C20th semi-detached brick and (historically) slate roofed villas in East Park and surrounds. The overall character of the area is therefore a mix of commercial and residential.
- 1.3 The site is level, although the Arora Hotel and the houses to the south are elevated relative to the application site.
- 1.4 A group of 4 Monterey Pine trees in the south west corner of the site are protected by Tree Preservation Order (Ref 04/2017 - East Park, Southgate, No.1). The site lies within the Town Centre Boundary and is in the long distance view splay from Tilgate Park. The site is identified as an allocated and developable key housing site under Policy H2 of the Local Plan for 48 dwellings.

THE PROPOSED DEVELOPMENT:-

- 2.1 Full planning permission is sought for the demolition of the existing office building and the erection of a block of 121 flats. The building would have a maximum of 9 storeys, reducing down to 7 and then down to 4 storeys. It would have a 'U' shaped footprint with a central landscaped courtyard. The scheme would provide 100% affordable units, split 50:50 between affordable rent and shared ownership, and would comprise a mix of 1 bed, 2 bed and 3 bed units.
- 2.2 The application includes car/cycle parking, tree works, public realm improvements and an associated sub-station.
- 2.3 Vehicular access to the site would utilise the existing arrangements, being from the east from Southgate Avenue. The existing pedestrian access route from the west (from East Park) would be maintained and incorporated into the layout to provide an improved publicly accessible pedestrian and cycle path. Refuse vehicles would enter the site from the east and circulate around the perimeter of the building, egressing to the west, via controlled gates into East Park. One tree and a group of shrubs would require removal to facilitate the development.
- 2.4 The site would be landscaped with a south facing courtyard. The pedestrian/cycle path would run along the southern edge of this courtyard area. The building would use feature brickwork, differing brick and horizontal banding. Cycle storage and refuse storage is shown in part of the ground floor of the building. Vehicle parking of 58 spaces would be provided on the south, east and northern boundaries. A sub-station is to be provided in the south west corner of the site.
- 2.5 The application has been accompanied by the following supporting documents:
 - Planning Statement
 - Design and Access Statement
 - Transport Assessment and Travel Plan
 - Flood Risk Assessment and Drainage Strategy
 - Arboricultural Impact Assessment and Method Statement
 - Noise Report and Overheating Assessment
 - Energy and Sustainability Statement
 - Affordable Housing Statement
 - Air Quality Assessment and Mitigation Statement
 - Contamination Desk Study and Preliminary Risk Assessment
 - Ecological Assessment and Bird Hazard Management Plan
 - Aviation Risk Assessment
 - Habitats Regulations Assessment
 - Employment Report

- Foul Sewage and Utilities Assessment
- Heritage Assessment
- Statement of Community Involvement
- Daylight and Sunlight Report

2.6 The application has been revised during the course of its consideration to address identified issues including the inclusion of the vehicular access to Southgate Avenue within the application site red line and the appropriate notices served on third party owners; reconfiguration of the floor layouts, use of saw tooth window projections and inset of building line to improve orientation and outlook of the units and the relationship with adjoining properties plus internal access to the cycle storage areas; improvements to the landscaping proposals including the east/west route through the site and the courtyard area; revisions to the parking layout and a revision to the tenure split.

PLANNING HISTORY:-

3.1 Previous planning applications at the site have been in connection with the office use. Most recently application CR/2014/0461/FUL was refused for the change of use of part of the ground floor for a D1 use - medical consulting and counselling.

PLANNING POLICY:-

4.1 The National Planning Policy Framework February 2019 (NPPF)

The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three overarching objectives - economic, social and environmental. These objectives are interdependent and need to be pursued in mutually supportive ways. At the heart of the Framework is a presumption in favour of sustainable development.

Relevant paragraphs are:

- Paragraph 11: presumption in favour of sustainable development – this means that development proposals that accord with an up – to –date development plan should be approved without delay.
- Section 5: delivering a sufficient supply of homes – this seeks to significantly boost the supply of housing including affordable housing.
- Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations. Paragraph 110 states that applications for development should give priority first to pedestrians, then cycle and public transport movements and address the need of people with disabilities in relation to all transport. It should also create safe, secure and attractive places avoiding conflict between different transport users, allow for efficient delivery of goods, and access by service and emergency vehicles and be designed to enable charging of plug-in vehicles.
- Section 11: Making effective use of land – decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- Section 12: Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Decisions should ensure developments are sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place.
- Section 15: Conserving and enhancing the natural environment – decisions should prevent new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels of pollution including air and noise. Potential adverse impacts on health and quality of life are to be taken into account. In respect of noise, decisions should mitigate and reduce to a minimum potential adverse impacts and avoid noise giving rise to significant adverse impacts on health and quality of life. Decisions should ensure new development can be integrated effectively with existing businesses, which should not have unreasonable restrictions

placed upon them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse impact on new development in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.

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

- Policy SD1 (Presumption in favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles) States that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.
- Policy CH2 (Principles of Good Urban Design) sets out the principles for good urban design and states:

“To assist in the creation, retention or enhancement of successful places in Crawley, development proposals will be required to:

- a) respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets;*
- b) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas;*
- c) create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society, including disabled and elderly people;*
- d) make places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport networks;*
- e) provide recognisable routes, intersections and landmarks to help people find their way around;*
- f) consider flexible development forms that can respond to changing social, technological and economic conditions; and*
- g) provide diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.*

Applications must include information that demonstrates that these principles would be achieved, or not compromised, through the proposed development.”

- Policy CH3 (Normal Requirements of All New Development) sets out the normal requirements of all development and requires proposals to be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context, be of high quality in terms of landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. In addition, proposals must provide a good standard of amenity for future residents in compliance with internal space standards and not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance or overshadowing, traffic generation and general activity. The policy requires the retention of existing individual or groups of trees that contribute positively to the area and seeks to ensure sufficient space for trees to reach maturity particularly when located in private gardens to ensure dwellings receive adequate daylight. Development should also meet its operational needs in respect of parking, access, refuse storage etc. The policy also requires the development to incorporate 'Secure by Design principles' to reduce crime, consider community safety measures and demonstrate design quality through 'Building for life' criteria.
- Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents. New dwellings should, as a minimum, meet the nationally described space standards

in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings.

- Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- Policy CH8 (Important Views) identifies important views which should be protected. These views are divided into two categories, linear contained and long distance views. Of particular relevance to this site is the long distance view from Tilgate Park.
- Policy EC4 (Employment Development and Residential Amenity) states that where residential development is proposed within or adjacent to main Employment Areas, the principal concern will be to ensure that the economic function of the area is not constrained.
- Policy EC6 (Development Sites within the Town Centre Boundary) aims to encourage residential and town centre uses. This cross references with Policy H2 which lists sites allocated solely for housing.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H2 (Key Housing Sites) demonstrates how the Local Plan makes provision for the delivery of a minimum of 5100 net additional dwellings in the Borough between 2015 and 2030. This site is identified as a developable housing site providing an indicative minimum of 48 dwellings within years 6 – 10 of the Plan (2020/21 – 2024/25).
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first-time buyers. These targets will apply unless evidence can be provided to show that the site cannot support those requirements from a viability perspective and that the development clearly meets a demonstrable need.
- Policy ENV1 (Green Infrastructure) advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through various measures including protection, enhancement and integration with new development, mitigating harm and maintaining an extending links where possible, including through larger proposals.
- Policy ENV2 (Biodiversity) states that all developments will be required to incorporate features to encourage biodiversity.
- Policy ENV5 (Provision of Open Space and Recreational Facilities) requires development to make provision for open space and recreational facilities and confirms that the Community Infrastructure Levy will be used to enhance open space to mitigate the impact of increased population. On larger housing sites, on-site provision of open space may also be appropriate and be required as an integral part of the development.
- Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.
- Policy 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) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- 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 ENV10 (Pollution Management and Land Contamination) requires remediation and mitigation details to address any environmental risks.
- Policy ENV11 (Development and Noise) seeks to protect people's quality of life from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Residential and other noise sensitive development in areas that are exposed to significant noise from existing or future industrial, commercial or transport noise sources will be permitted where it can be demonstrated that appropriate mitigation, through careful planning, layout and design, will be undertaken to ensure that the noise impact for future users of the development will be made acceptable. Noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing and future users. Proposals will be required to appropriately mitigate noise through careful planning, layout and design. This policy should be read in conjunction with the Local Plan Noise Annex.
- 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 IN3 (Development and Requirements for Sustainable Transport) Advises that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.
- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the Borough council's car and cycle standards.

4.3 Submission Draft Local Plan (Regulation 19)

The Crawley Borough Local Plan is under review. The Council published its Submission Draft Local Plan (Regulation 19) on 20 January 2020, for a six week period of public consultation that closed on 2 March 2020. The draft Local Plan does not seek to start from a blank page. The principles and policies of the adopted Crawley Borough Local Plan 2015 remain up-to-date and sound.

The following policies are of note:

- Policy SD1: Presumption in Favour of Sustainable Development.
- Policy CL2: Making Successful Places: Principles of Good Urban Design.
- Policy CL3: Local Character and Form of New Development.
- Policy CL4: Effective Use of Land: Sustainability, Movement and Layout.
- Policy CL5: Form of New Development – Layout, Scale and Appearance.
- Policy CL7: Important and Valued Views.
- Policy DD1: Normal Requirements of All New Development.

- Policy DD2: Inclusive Design
- Policy DD3: Standards for all New Dwellings
- Policy DD4: Tree and Landscape Character Planting
- Policy DD5: Tree Replacement Standards
- Policy DD6: Aerodrome Safeguarding.
- Policy IN1: Infrastructure Provision.
- Policy IN3: Supporting High Quality Communications.
- Policy H1: Housing Provision
- Policy H2: Key Housing Sites
- Policy H3: Housing Typologies
- Policy H3b: Densification, Infill Opportunities and Small Sites
- Policy H5: Affordable Housing
- Policy SDC1: Sustainable Design and Construction.
- Policy SDC 2: District Energy Networks
- Policy SDC3: Tackling Water Stress.
- Policy EP4: Development and Noise.
- Policy ST1: Development and Requirements for Sustainable Transport.
- Policy ST2: Car and Cycle Parking Standards.

4.4 Supplementary Planning Guidance and Documents

The Council's following adopted Supplementary Planning Documents and Guidance Notes are also relevant to this application:

Urban Design SPD (2016)

This SPD includes further design guidance and examples of residential development and sets out guidance on outdoor amenity space standards. It also includes the Crawley Borough Parking Standards.

Affordable Housing SPD (2018)

This SPD includes further guidance on affordable housing policies within the Local Plan.

Town Centre SPD (2016)

This SPD supports sustainable regeneration and development to promote the economic growth, vitality and viability of the town centre. The SPD sets out the dual approach of the town centre as a location for commercial and residential uses and states that where specific sites are allocated in the Local Plan for residential purposes, any loss of employment floor space has been assessed through the Local Plan Sustainability Appraisal and found to represent the most sustainable approach.

Green Infrastructure SPD (2016)

This includes guidance on designing for trees, open space and biodiversity. 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 in respect of considering landscaping as an integral part of high quality design.

Planning and Climate Change SPD (2016)

This document provides guidance and justification for the sustainability policies in the Local Plan. It sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.

Crawley Community Infrastructure Levy Charging Schedule 2016

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

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.

PLANNING CONSIDERATIONS:-

5.1 The key planning considerations in respect of this application are as follows:

- The principle of the demolition of the offices and the erection of residential units
- Design and appearance of the proposal and the impact on the character of the area and street scene
- Impact on the amenities of the occupants of neighbouring properties
- Acceptability of the accommodation proposed for future occupiers
- Impact on highways, access and parking, and operational requirements
- Sustainability
- Drainage
- Impact on protected trees and proposed landscaping
- Affordable housing
- Infrastructure contributions
- Gatwick Airport safeguarding

The principle of the demolition of the offices and the erection of residential units

5.2 The application site lies on the southern edge of Crawley town centre, within a short walk of shops, commercial premises and a range of leisure and food and drink outlets. It is also a highly sustainable location given its very close proximity to the railway station, the bus station and the associated public transport links. Local Plan Policy H2 specifically identifies the site as being suitable for redevelopment for housing with an indicative minimum number of 48 units. The residential use of town centre sites such as this is also encouraged by the NPPF.

5.3 Thus, as an allocated site within the town centre boundary, the principle of demolition of the existing office buildings and redevelopment for residential purposes is acceptable in principle and has been established through its inclusion on the Local Plan. As the Town Centre SPD sets out, given that residential use is supported in such locations, the requirement to justify loss of employment floor space is removed in order to facilitate delivery of high quality town centre homes through the planning process.

5.4 Whilst policy H2 shows the site allocated for 48 dwellings, in view of the highly sustainable location of the site, the need to increase densities and to make the most effective use of previously developed urban land, as encouraged in the NPPF, it is considered that in principle a higher number of dwellings could be accommodated on the site. The Policy H2 figure is an indicative minimum. The key issues are thus whether a scheme of 121 units of the scale, layout and design proposed is in accordance with the other relevant policies of the Local Plan and gives rise to an acceptable and high quality development as a whole, having full regard to the constraints that apply to this site. These more detailed policy and other considerations are addressed below.

Design and appearance of the proposal and the impact on the character of the area and street scene

5.5 The site sits in an area with a mixed character, comprising the Arora Hotel to the east, Zurich House and the Victorian/Edwardian semi-detached houses in East Park to the west and the more modern dwellings to the south in Clitherow Gardens and Richmond Court. In addition, there is the railway line to the north beyond which is Overline House and Moka (both sites proposed to be redeveloped for high rise residential). There is thus a variety of uses and buildings of differing form, scale and massing in the immediate vicinity of Longley House.

5.6 The proposed building would have a U shaped footprint and would extend up to 9 floors along the northern boundary, with lower elements of 7 storeys and then down to 4 storeys on the 2 southern

projecting arms. The building would have brick walls and a flat roof. The windows would be slightly recessed from the facades of the elevations and all the flats would have recessed balconies.

- 5.7 The maximum height of the building above ground level would be 30.77m, which would be to the top of the lift overrun. The height to the top of the roof of the 9 storey element would be 29.77m, the 7 storey part would be 23.59m high and the 4 storey wings would be 13.95m high.
- 5.8 Given the relatively tall and dense forms of the Arora Hotel, Zurich House, Overline House (existing and proposed) and Moka (proposed) in the immediate vicinity and elsewhere in the town centre (including those under construction at The Boulevard and Crawley College sites), it is considered that a high rise and relatively dense (242dph) development for this site within the town centre boundary is appropriate. However, it is also important that the scheme respects the variety in the character of the area and has due regard to the lower density and low rise form of the 2 storey adjacent residential areas to the south and west (Clitherow Gardens, Richmond Court, and the Victorian / Edwardian vernacular of East Park). These are of a more domestic scale than the commercial form that surrounds the northern and eastern parts of the site. The building design has responded to reflect the surrounding change in height, grain, massing and urban character along the site boundaries. The height and massing of the scheme at these points reflects this and incorporates design features to respond to this scale and character and provide a transition between the differing scales of the surrounding development.
- 5.9 Whilst it is clear from the elevational approach taken that the design intent is to create a built form that reads architecturally as one consistent form, specific aspects of the design have been developed further to address the above aspects. In this regard, the scheme steps down in height towards the southern boundary from 9 floors to 7 and then down to 4 floors. Thus the main 9 storey element is along the northern boundary parallel with the railway line and opposite Overline House. Then where the 2 arms of the U shaped footprint project to the south, the storey heights reduce and this is where the building would be closest to the adjacent 2 storey housing in Clitherow Gardens and Richmond Court. This means that the upper floors (levels 5– 9) are set back to the northern part of the site, parallel with the railway line, so that their dominance is reduced when viewed from the south, east and west.
- 5.10 In addition, the brick tones have been further defined to separate the lower seven floors from the upper two floors, with a lighter brick used on the upper levels. Overall the main brickwork is to be in stretcher bond, but variations in the brick detailing are to be utilised. The four lower floors (ground to 3rd floor) would have a brick ‘bands’ created from two projecting brick courses in the sections of the walls between the windows on each floor. These bands are to be positioned at the top of the lower floor window and at the bottom of the window in the floor above. This arrangement alters higher up the building, so that on the 4th to the 6th floors, the projecting course is at the bottom of the band only. Then there is no projecting brickwork on the upper 2 floors. This helps to break down the building massing, with the lower floors having more detailing and responding to the scale of the domestic houses to the south. The detailing thus reduces up the building, creating more separation between the volumes and so that the upper portion appears lighter, which is also assisted by the choice of a lighter toned brick.
- 5.11 A further feature of the detailing is on the south eastern wing, where it reduces down to 4 storeys. On this part of the building, the main brick work is to be in Flemish bond design with burnt headers. This brick detailing would return around the window reveals, up to the recessed windows. The brick banding features on this section would still be utilised, but would be plain brick in stretcher bond. This different detailing would help to create a visual separation of this wing from the main bulk of the building, and would add more character to this part of the building, referencing similar brick features found in the surrounding locality.
- 5.12 The revised design also has introduced saw tooth window projections on the north and east elevations. This is mainly to improve the outlook and aspect of the flats, and the relationship with adjoining premises (aspects which are covered in sections below), but also has the effect of creating visual interest on these elevations as the projections are stacked directly above each other on each floor, creating a vertical feature and thus assists in breaking down the perceived massing.

- 5.13 These issues regarding the relationship with the scale and character of surrounding development were a key aspect of the appeal relating to Zurich House (CR/2017/0180/FUL) which was dismissed and the subsequent approved scheme CR/2017/0974/FUL. The Inspector in dismissing the appeal scheme referred to the smaller more 'human scale' of East Park, and commented there was a lack of definition between floors, the transition in height was too abrupt and the bulk and height was excessive. The approved scheme then incorporated more of a step-up in heights, with setbacks, a horizontal emphasis and detailing, with materials to reflect the colour palette of surrounding properties and lighter materials on the upper floors.
- 5.14 With regard to the view of the site from along East Park, the southern elevation of the south west arm of the building would be in line with Zurich House and at this point is 4 storeys high, and so would not be unduly prominent in the street scene. The tallest element of the building at 9 storeys is set parallel to the railway line and so it would be towards the back of the site. Moving to the east, the building is then recessed around the central courtyard and then it is the south eastern arm of 7 storeys, reducing down to 4 storeys, that projects further to the south. However, at this point, the building is at its furthest from East Park and would be screened by the retained trees and the landscaping to be planted in the courtyard and around the pathway through the site. In the context of East Park, the scheme would also be viewed against a backdrop of other, existing and proposed, taller buildings. The brick tone and detailing on the lower 4 floors would contrast with that to be used on the upper storeys and would provide a connection in detailing and scale terms to the existing houses in the vicinity.
- 5.15 In longer distance elevated views, such as from Tilgate Park, the building would be visible, but would be seen in the context of the town centre. Taller buildings are under construction on The Boulevard and Crawley College sites and there are planning permissions for development of a similar height at Overline House and Moka. There are also bulky buildings with a more horizontal emphasis, such as the Arora Hotel and County Mall, nearby. The proposed building would be seen in the context of these developments and the cluster of taller/bulkier buildings in and around the town centre. Within this context and as part of a grouping of other larger buildings, the proposal's longer distance visual impact is considered acceptable.
- 5.16 Full details of the proposed materials could be secured by condition to ensure they would create a high quality and distinctive development. This would include the brickwork detailing. It is also considered appropriate to control by condition the details of potential installation of pipework, flues and other features that otherwise may have a significant and discordant visual impact on the building design.
- 5.17 The proposal incorporates a south facing courtyard and improvements to the public realm in the form of a revised pedestrian and cycle path through the site that leads from East Park, through the site and connects to the access road that passes by the Arora Hotel and leads down to Southgate Avenue. The design of these elements has evolved during the course of the consideration of the application and now clearly defines the private, semi-private and public areas. The scheme includes appropriate low level buffer planting to separate the flat windows from any public pathways. The pathway itself has been widened and repositioned to better connect both physically and visually to East Park and to better separate the courtyard from the parking spaces along the southern boundary of the site. Also the parking spaces that would have intruded into its northern extent have been relocated elsewhere on the site, emphasising the car-free nature of the path at this point.
- 5.18 The scheme would represent a significant visual change to the appearance of the site. Overall the revised building is considered to be well-designed and detailed. Whilst it is a large tall building, it is located amongst other existing or proposed dense and high rise developments within the town centre, including Zurich House, the Arora Hotel, Overline House and Moka, and in this context would not be unsympathetic. However, it is also adjacent to the more domestic scale of the existing dwellings to the south and west, and in this regard the design has employed specific features to address concerns of scale and massing. The stepped design gives transition to the scale of the building and it is considered that this appropriately addresses the character and scale of the surrounding uses around the boundaries of the site. As a result the scheme is considered to accord with Policies CH2 and CH3 of the Crawley Borough Local Plan (2015 – 2030) and the guidance in the Urban Design SPD (2019).

Impact on the amenities of the occupants of neighbouring properties

- 5.19 The properties that would be most impacted upon by this development are the houses in Clitherow Gardens and Richmond Court to the south, the flats in Zurich House to the west and the Arora Hotel to the east. In respect of land across the railway line, it is the flats to be provided in the Overline House development to the north west and in the Moka development to the north east that could be affected.
- 5.20 The Urban Design SPD seeks a 30m window to window distance between rear facing windows of 3 storey properties in order to achieve acceptable levels of privacy.
- 5.21 In respect to Clitherow Gardens, the side elevation of No.1 abuts the southern boundary of the application site, with its front elevation facing to the west and rear elevation to the east. Its front elevation is broadly in line with the west elevation of the proposed flats. There are no habitable room windows in the side elevation of No.1 and so there would be no direct window to window overlooking. The main impacts would thus be one of possible overbearing/dominance experienced from the rear elevation and rear garden of this house and potential overlooking of the rear garden. The closest projecting wing of the new block would be the southwest arm, which would be positioned 21m from the side elevation of No.1. The south east projecting wing would be 30m away from the rear corner of the house and the main 9 storey element of the development would be positioned 30m away from the side boundary of the garden.
- 5.22 Richmond Court is a cul de sac to the east of Clitherow Gardens. The side elevation of No.2 Richmond Court also adjoins the southern boundary of the site. It has its front elevation facing to the east and its rear elevation faces west. It has no habitable room windows in the side elevation and so there would be no direct window to window overlooking. The main impact would thus be one of possible overbearing/dominance and overlooking experienced from the front elevation and the front garden area and from the rear elevation and rear garden of this house. The closest projecting wing of the new flats would be the southeast arm, which would be positioned 14.4m from the side elevation of the house. The flats would look directly across to the side gable wall of No.2 and its front garden area and the end of the cul de sac. It is considered that this aspect across to the front garden of the house is the more public area and is one where issues of privacy and overlooking are not as sensitive as for the more private rear gardens, where higher levels of privacy would be expected. In respect of its rear garden, at this point the southeast arm block is set further away such that views would be at an angle and not direct. The south west arm would be some 31m away from the rear corner of the house and the distance to the main 9 storey element would be 34m from the side boundary of the garden.
- 5.23 Whilst visually there would be a significant change in surroundings for the residents of both No.1 Clitherow Gardens and No.2 Richmond Court from the development of this site, there would be no direct window to window overlooking and, as both properties lie to the south of the application site, there would be no loss of sunlight or shading impact. There would be an impact in terms of dominance and presence from the new building, especially in views from the rear gardens, but there would not be a significant loss of outlook from their front or rear windows. Overall, the relationships between the buildings and the separation distances are considered to be acceptable.
- 5.24 The layout shows that some of the parking spaces are to be provided along the southern boundary of the site adjacent to these 2 houses. This part of the site is already used for parking associated with the existing offices. It should be noted that the existing dwellings are at a slightly higher level than the application site at this point and the boundary treatment comprises a low brick wall with fencing on top. The revised plans now include a 1m buffer behind the parking spaces to allow for defensible landscaping along this boundary. In this respect, existing residents will notice little difference from the current parking provision.
- 5.25 Zurich House is set to the immediate west of the site. It is currently being converted to flats with an additional floor being added. The existing three storey side elevation of Zurich House would be set 17.4m from proposed side elevation of the south west wing. The separation distance for the new additional floor would be increased to 18.4m due to the 1m set in from the side wall. There are staircase/landing windows on the existing side elevation of the building. There would be 3 windows on this side elevation of its new 4th floor, which serve one flat. Two of these windows are secondary windows to the living area and a bedroom. The third window serves a bedroom and would look across to the flats at this level on the south west arm of the proposed Longley House scheme. Whilst this is

not ideal, the flat does benefit from dual aspect rooms, with its main outlook to the front and rear and this relationship must be viewed as part of the overall planning balance.

- 5.26 The Arora Hotel lies to the immediate east of the site, with a 5 storey block of accommodation, containing hotel bedrooms that look across to the application site. This block is set in 4m from the site boundary. The proposed flats are set parallel to this but at a slight angle such that there would be a minimum separation distance between these hotel rooms and the proposed flats of 12m, widening to 19m further south. It is acknowledged that this is a close relationship and this aspect has been the subject of discussions and negotiations to improve the situation for the hotel and also for the future occupiers of the flats. The latter issue is examined in more detail in subsequent paragraphs.
- 5.27 With regard to the impact on the Hotel, and the objections that have been made by the owners of the Hotel, officers consider that hotel bedroom windows are less sensitive than those in a dwellings to dwellings relationship, so it is considered that the SPD guidance should not be so strictly applied. The occupation of hotel bedrooms is such that guests are there for only a temporary period, it is not their main place of residence and, given the location and client base of this hotel, guests are there primarily for its proximity to Gatwick Airport and Manor Royal, rather than the hotel's surroundings or grounds. It should also be noted that the hotel bedroom windows have a mirror tint and blinds and so clear views into the rooms from outside are not achievable. Also the floor levels of the 2 developments are staggered as the hotel is on higher ground so the windows would not be at similar heights thus reducing the extent of direct overlooking.
- 5.28 However, the amended plans have improved the relationship, with the introduction of the angled saw tooth projections which direct main views from the proposed living rooms towards the south; plus the use of recessed balconies and with bedrooms behind and so increasing the window to window distances; and the introduction of semi opaque glazing, resulting in a reduction in the amount of direct window to window relationships. In addition, further landscaping is proposed along the eastern boundary to provide a green buffer between the 2 sites.
- 5.29 In these circumstances and with the revised scheme details, it is not considered that issues of overlooking and dominance of the building are now such that they would detrimentally affect the quality of life of the occupiers of the hotel bedrooms to such a degree as to warrant a refusal on these grounds.
- 5.30 With regard to the proposed flats to the north at Overline House, these were permitted at outline stage under ref CR/2016/0294/OUT. Subsequent applications under current consideration are CR/2019/0602/ARM for the new blocks to the west of Overline House and CR/2019/0660/FUL is a new full application for the conversion of Overline House, with 2 additional floors and remodelled station. The windows on the lower existing floors will be in the same position as those currently on the south elevation of the Overline House building. The additional two floors are shown to be slightly set back from its south elevation.
- 5.31 Longley House is directly opposite the station's surface car park, which is to be retained. Overline House is set to the west. The north west corner of the new Longley House block would thus be opposite the south east corner of Overline House. There would be no direct window to window relationships as the two properties are offset from each other. The new blocks forming the remainder of the Station Gateway scheme would be further west, beyond the station.
- 5.32 At the closest point the two corners of the buildings would have a separation distance of some 32m with the railway line intervening. Thus some windows on the north elevation of Longley House would look directly north across to the station car park, whilst views from the windows in the saw tooth projections would be to the west towards Overline House. The latter would be at an angle and with a minimum distance of 36m approx., which complies with the SPD guidance.
- 5.33 Notwithstanding that these latest applications for Overline House have not yet been determined, it is considered that the proposal would not result in harmful overlooking of this potential development given the relative position of the two buildings. The proposal could result in some loss of morning light to some of the flats to the north, but this is not considered to be significant enough to cause harm

to the future occupiers given the level and nature of the separation between the prospective buildings on either side of the railway line.

- 5.34 With regard to the Moka development, this is positioned to the north east of the site on the other side of the railway line, such that it is more directly opposite the Arora Hotel. Thus the north east corner of the new Longley House block would be opposite the south west corner of the proposed Moka building. As the two properties would be offset from each other, there would be no direct window to window relationships. At their closest point the two corners of the buildings would have a separation distance of some 43m with the railway line intervening, which complies with the SPD guidance.
- 5.35 The Daylight and Sunlight report analyses the availability of sunlight and daylight to the surrounding properties. The report concludes that, in daylight terms, the majority of rooms and windows of these properties meet the target daylight levels with the proposal in place, and for the instances where they do not, they are windows serving circulation space or are secondary windows and the other windows meet the target levels such that the room is well lit. In respect of the Arora Hotel, it would meet the alternative target values as set out in the BRE Guidelines to be used when considering fair and appropriate development on neighbouring sites in urban areas. These include where an existing building has windows that are unusually close to the boundary and taking more than their fair share of light.
- 5.36 Overall the proposed development would have a degree of impact on the amenities enjoyed by the occupants of neighbouring properties but, given the relative position and orientation of the dwellings, the separation distances and angles, and the design features of the proposals to address such issues, it is considered that, on balance, an acceptable arrangement between properties has been achieved in regards to overbearing impact and loss of outlook, overlooking and loss of privacy.

Acceptability of the accommodation proposed for future occupiers

- 5.37 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. All the proposed units would meet the minimum space standards for 1, 2 and 3 bed flats. The revised scheme has incorporated dual aspect to many of the flats, such that no flats on the north elevation would have their sole outlook to the north and across to the railway line and station, following the introduction of the saw tooth projections. As such, the proposed development is considered acceptable and would accord with Policy CH5.
- 5.38 The Council's Urban Design SPD recommends that a minimum of 5sqm of private outdoor space, where the smallest dimension is not less than 1500mm, is provided for 1 to 2 person flats plus an extra 1sqm for each additional occupant. It also states that while balconies provide a good solution, they may not be appropriate in all contexts and a semi-private outdoor, communal space may be suitable.
- 5.39 The proposal would provide private balconies to all of the 121 flats. In the main, these would all achieve the 5sqm requirement and have a width of no less than 1.5m, apart from 15 units where the shortfall in balcony area is between 0.66sqm to 1.87sqm. In addition a landscaped courtyard is proposed of 300sqm in area which would provide hard and soft landscaping with a feature tree, wild flower mound with specimen shrubs, seating areas and opportunities for children's play.
- 5.40 Whilst there are a few flats that would not meet the required balcony areas, the number is relatively small and the deficit is similarly at a low level. The scheme does provide for an external amenity area too and in terms of public amenity space, the site is within walking distance of both Memorial Gardens and Southgate playing fields.
- 5.41 In accordance with the Council's policy requirements, a contribution towards the open space facilities in the locality would be sought if the scheme were considered acceptable.
- 5.42 The amended scheme includes revised balconies/ terraces for the ground floor units. This provides active frontages on all elevations, giving natural surveillance particularly to the rear and sides of the building. However, as this could give rise to security and privacy issues, the submitted details show

defensible space and low level landscaping around the terraces. Also all the balconies are recessed providing further separation and privacy.

- 5.43 The internal layout of the ground floor has also been revised with the floor layouts of certain flats being changed to ensure that the proposed main pedestrian entrances into the building are not immediately adjacent to bedrooms.
- 5.44 The relationships between this site and adjacent properties is detailed in the section above. In respect of the living environment for the occupiers of the new flats, the main areas of concern are the outlook and aspect of the flats adjacent to the Arora Hotel and Zurich House, given the close proximity and height/massing of these existing buildings. In addition, the flats on the northern elevation need careful assessment due to their northern outlook and proximity to the railway line and the station.
- 5.45 With regard to the relationship with the Arora Hotel, the eastern elevation now incorporates saw tooth projections to the centrally located flats. The corner units are now dual aspect and so do not include the projections. These central bays direct views from the living rooms towards the south, rather than due east towards the hotel. This provides their living areas with two points of outlook (one to the south and one to the north east) and improves the relationship between the two sites. This design provides a much wider outlook from within the flat and the maximum amount of glazing to the living rooms has been provided along the recessed wall of the balcony, increasing daylight into these units. Also the angled form of the projections means that the neighbouring projections do not block the view. There are bedrooms that will have their sole outlook across to the Arora Hotel and this aspect of the scheme is of concern but some are set behind the recessed balconies which gives an added degree of separation and protection and in all regards the flats along this elevation will have a dual aspect. This relationship needs to be considered as part of the overall planning balance.
- 5.46 In respect of the relationship to Zurich House the units on the ground floor to the 3rd floor of the proposal in the south west wing are the closest to the Zurich House building, with those on the 4th floor and above stepping away by 8m as they form part of the main 9 storey element, which set to the rear of the application site parallel to the railway line. The living rooms of the units in the western elevation on this lower south west arm of the proposal have recessed balconies with 2 windows such that all these flats are dual aspect. There would be no direct window to window relationship for the proposed units in Longley House on the first 3 floors of this wing as the side elevation of Zurich House contains a landing/staircase window on the 3 existing floors. There are to be 3 windows on this side elevation of the new 4th floor of Zurich House, which serve one flat. Two of the windows are secondary windows to the living area and a bedroom. The third window serves another bedroom. Whilst this is not ideal, the flats in Longley House would be also dual aspect and this relationship must be viewed as part of the overall planning balance. Overall there would be a good relationship with Zurich House and residents would have a good outlook with little overlooking.
- 5.47 The flats on the northern elevation of the proposal as originally submitted would have had their sole outlook to the north, looking directly over the railway line and across to the station car park. The amended scheme now incorporates for the central flats angled projecting bays which give outlook to the north west and north east, widening and improving the aspect for the living rooms along this elevation, particularly with the increased glazing onto the recessed balcony. The bedrooms are also recessed, as they look onto the balcony areas, thus setting them further away from the railway line and the station. The 2 corner units on each floor are dual aspect and so do not include the projections. The building would not be directly opposite the proposed flats at Overline House or those at Moka so, as the properties are offset from each other, there would be no direct window to window relationships.
- 5.48 The Daylight and Sunlight report analyses the availability of sunlight and daylight to the flats and the outdoor space. The majority of the proposed flats would meet the target values for daylight and sunlight and the balconies provide a good additional source of daylight and sunlight amenity. The amenity space meets the criteria for sunlight, receiving at least 2 hours of direct sunlight to 100% of its area. Thus there are shortfalls, but in the context of the whole scheme, the overall level of daylight and sunlight amenity is considered to be acceptable.
- 5.49 Given the extent and the specific nature of the separation distances between the proposal and these neighbouring buildings, and the bespoke design and detailing that has been employed to address the

concerns of the living environment, it is now considered that the amended design provides an acceptable standard of development and the issues of privacy and outlook for future occupiers of the apartments have been resolved to a satisfactory degree.

- 5.50 Policy ENV11 seeks to protect future residents from unacceptable noise impacts. It requires a noise impact assessment where sensitive development is proposed in noisy locations. Proposals that would expose future users of the development to unacceptable noise levels will not be permitted, unless appropriate mitigation, through careful planning, layout and design, can be provided.
- 5.51 In this case the specific noise impacts arise from the operation of the railway line and the station with associated train noise and the general operation of the station including tannoy announcements. The proximity of the nightclub (Moka) is also a consideration although that has now closed and planning permission has been granted for its redevelopment onto flats.
- 5.52 In light of the current NPPF which sets out a higher requirement for the consideration of noise issues and the concept of the 'agent of change', the LPA will need to ensure that, in introducing noise sensitive uses on the site (residential flats), the operation of the established commercial premises (including the railway station) are not prejudiced.
- 5.53 The scheme has evolved, both since pre-application stage and during the course of the consideration of the application to address these issues. In terms of design and layout, the scheme now shows the building set further away from the northern boundary; a reduced number of flats on the ground floor north elevation so that none have their sole outlook to the north; the remaining 2 units are at each corner and so have a dual aspect; the use of recessed balconies with solid balustrades and soffits with acoustic absorbing materials on the balconies; and, for the central units on the upper floors, the living rooms have been revised with the use of the saw tooth projections to give an outlook to the west rather than solely to the north.
- 5.54 The Environmental Health officer comments that in general he is pleased to see that good acoustic design has been incorporated into and throughout the development. He requested some additional information of the monitored sound levels and the predicted sound levels at the facades of the building and the proposed sound resistance between each of the storeys and that between the living accommodation and the plant, services and bike stores. Further information on the ventilation system and an overheating assessment was also required.
- 5.55 Further technical details have now been supplied and the Environmental Health officer has reviewed the scheme as a whole. He comments that *'I would like to draw the Committee's attention to some of the good acoustic design as it is some of the first that we have seen in this Borough and would expect to see these principles in future applications where appropriate. The projections of each saw tooth serve to provide a vertical noise barrier and will reduce noise from trains approaching in either direction. The recessed balconies provide good quality outdoor space, reduce overheating by providing shade from the sun (this is more important for the East and West elevations) and the solid balustrade forms a noise barrier. Those balconies at higher levels are much more effective at reducing noise due to the reduced angle of incidence of the sound on the surface. The soffit to the balcony will have acoustic absorbent material and this reduces reflections into the balcony area. This can achieve significant reductions in sound level and windows opening onto the balcony benefit from this and also the noise reduction across the open window.'*
- 5.56 He recommends conditions relating to balcony construction, glazing, the ventilation system, an insulation scheme to protect the dwellings from noise from plant and services in the building, and a scheme to prevent overheating.

Impact on highways, access and parking, and operational requirements

- 5.57 The access road to the development would be via the existing route to the east from Southgate Avenue. This will be the only point of access/egress for cars. Refuse vehicles and emergency vehicles will be able to enter from the east, but will be able to circumnavigate the site round to the rear of the building and exit by a controlled barrier onto East Park.

- 5.58 Pedestrians and cyclists will be also able to access the site by the path from East Park which is to be retained and improved to provide a dual use route through to Southgate Avenue. The design of this has been revised to an increased width of 4m and to provide a more legible, direct and user friendly route, which would increase connectivity, whilst protecting the amenities and security of residents in the new flats.
- 5.59 58 parking spaces are to be provided around the site along the northern, southern and eastern boundaries, including 3 to accessible standards. 189 cycle parking spaces for residents will be within the building in cycle store areas with 16 visitor spaces outside to the front of the building, adjacent to the pedestrian /cycle path. A Framework Travel Plan has been submitted which includes measures to reduce the reliance on the private car and to promote sustainable modes of travel. These include the setting up of a cyclist users group, a car share group and encouraging public transport use.
- 5.60 WSCC Highways comment that there are no particular in principle issues and they are satisfied that the development would not result in any unacceptable or otherwise severe highway impacts and there are no objections to the development.
- 5.61 WSCC go on to advise that the access arrangements should be restricted via condition to prevent the East Park access being opened to all traffic. The existing lawful office use would generate more vehicle trips than the residential use proposed. The proposal would not give rise to any intensification of the use of the existing access or other junctions on the surrounding highway network. The footway to the east needs to be physically connected to the existing footway that runs to the front of the Arora Hotel and this can be secured by condition. The site is located in Crawley town centre. Access to Crawley railway station, high frequency bus services, and a wide range of services are all within a very short walk of the development over the existing footbridge. A revised travel plan to further promote sustainable transport modes should be secured by a condition.
- 5.62 WSCC Fire and Rescue Service comment on the access arrangements for fire appliances, distances to dry risers and the requirement for firefighting shafts. The applicant has advised that the route for emergency vehicle will be entering from Southgate Avenue and can travel around the rear of the site. Dry risers will be provided within the stair core. Stair cores 02 and 03 are firefighting shafts.
- 5.63 The car parking standards for this location require one parking space per flat. The number of car parking spaces proposed equates to a 48% ratio of spaces to units. However, given the very sustainable location of the site which is within the town centre boundary and in very close proximity to the railway station and bus station, it is considered a reasonable approach and insistence on a 1:1 provision would either result in a proliferation of car parking spaces across the layout, which would be visually unattractive and a poor layout, or a reduction of the number of flats overall which would be an inefficient use of the site. Residents would have a realistic alternative transport choices for their day to day requirements and would not be reliant on the use of a private car in such a location. Other recent high density schemes that have been permitted in the town centre have also had low levels of car parking or zero parking and include 15-29 The Broadway, 11-13 The Boulevard, Moka and Bridgefield House (Crawley College site). It is considered that a car park management plan is required in order to control the allocation of spaces to occupants and a revised travel plan to further promote sustainable transport modes, including access to a car club for residents, both of which can be secured by a s106 legal agreement.
- 5.64 Representations received have referred to parking issues in the locality and concerns that insufficient parking would be provided on the site, leading to knock-on effects elsewhere. These concerns are acknowledged given the close proximity of the surrounding residential roads in the East Park area, including those in the Controlled Parking Zone (CPZ).
- 5.65 East Park is located within the Zone D Controlled Parking Zone (CPZ) where parking is restricted between 9:00 and 17:00 Monday to Saturday to permit holders only. Only the residents in Zone D are allowed to receive a permit and there is no cap on the number of permits than can be issued. Thus it is likely that there are more households in Zone D than spaces available. Longley House is located outside of Zone D and therefore the future residents would not be eligible for a parking permit for this CPZ. Therefore, when the CPZ is in force the development would have a very limited impact upon

the availability of parking as parking is controlled during those hours. So the main impact on parking in East Park would be outside the CPZ hours.

- 5.66 This was a major issue at the appeal for the redevelopment of the Zurich House site CR/2017/0180/FUL. That application was refused by CBC on grounds of inadequate parking and the effect this could have on the living conditions of nearby residents. The Zurich House scheme proposed 75 flats with 48 parking spaces and the operation of a car club (a shortfall of 27 spaces against the adopted standards).
- 5.67 The parking arguments were thoroughly scrutinised by the appeal Inspector at the Hearing, who considered the evidence of both the appellant, LPA and local residents. Key points from the appeal decision are:
- whilst some streets were near to capacity, it was localised and the Inspector concluded that Zone D as a whole was not suffering from parking stress and would have the capacity to accommodate the entire potential shortfall of 27 parking spaces on-street in the evenings.
 - residents of other developments such as Overline House may park in Zone D, but could also use the town centre car parks. In respect of Longley House he opined that any development could be designed to meet the parking standards if that proved necessary.
 - the parking standards were indicative minimums and a lower provision is not ruled out if it can be justified by site specific evidence. As the evidence needs to be site specific, he was of the view that the parking provision approved at other developments is of limited relevance.
 - In respect of car ownership levels, the data indicated that car ownership for occupants of flats in this ward was lower than for Crawley as a whole. The lower level of car ownership was a result of the close proximity of public transport and other services. It could also be related to the socio- economic profile of the residents, who may be less able to afford a car.
 - The Inspector considered that there would be a discouragement to car owners occupying the flats as they were not guaranteed a space on the site and would not be eligible for a space in the CPZ.
 - The travel plan and a car club would provide mitigation. If car ownership levels turned out to be higher there was capacity on-street to accommodate the shortfall.
- 5.68 Thus, whilst that application was refused by CBC on parking grounds, the Appeal Inspector did not support that view and considered that the level of parking was adequate. (The scheme was however dismissed on design grounds.) It should be noted that the current scheme being implemented at Zurich House is not the appeal scheme, but it is the prior approval and additional floor permissions that are being built out, and in this respect the car parking provision complies with the standard at one space per flat.
- 5.69 WSCC Highways comment that overall they are satisfied that there are measures in place to ensure that overflow parking demands do not affect the safe operation of the highway network.
- 5.70 With regard to this application, the car park management plan and the travel plan, which is to include initiatives to promote sustainable modes of transport and to secure a mechanism for residents to use a car club, plus the capacity that is available on-street are significant factors to be taken into account in reaching a conclusion on this point.
- 5.71 The cycle parking standards for this development require a total of 205 cycle spaces, of which 189 are for residents and 16 are for visitors. The scheme meets this standard with the residents' spaces being in internal cycle stores and the visitor spaces are sited in the landscaped grounds to the front of the building.
- 5.72 Following concerns raised by the Cycle Forum, the bike stores now all have internal and external access doors. The applicants have confirmed that the size and configuration of the cycle stores can

accommodate the number of cycles and that a 2 tier racking system is to be used. The precise details of this can be secured via a condition. Specific details of the barrier along western access road can be secured by planning condition. The applicants have advised that it is the intention that the width of the barrier would allow for a cyclist to go around the side of the barrier.

- 5.73 Three stores are proposed on the ground floor of the building to accommodate the refuse and recycling bins. The Refuse and Recycling officer has commented that he can foresee no major issues with servicing this development but did query the calculation of bin numbers per store. The applicant has advised that the apartment mix has been updated since the original submission to provide 61 shared ownership units and 60 affordable rent, with each tenure requiring 7 x refuse bins and 7 x recycling bins, totalling 14 each. For the shared ownership 14 bins are shown in Core 03 and for the affordable units 4 bins are provided in core 01, with 14 provided in core 02. Whilst there is an overprovision, the additional 4 bins in core 1 are provided so that the 30m travel distance required for Building Regulation Part H is not exceeded. This means there would be an overprovision for the affordable core. The Refuse and Recycling officer has advised the revised details are acceptable, providing that the number of flats using the small store for Core 1 is no more than 18.
- 5.74 Overall, the scheme is considered acceptable in transport and highways terms. The car parking provision is considered to be adequate given the highly sustainable location of the site and having regard to the approach taken by the appeal Inspector in relation to Zurich House and his conclusion on parking levels. The cycle parking meets the required standard and the refuse and recycling facilities are acceptable. The various measures to promote and encourage sustainable transport can be secured by conditions and a legal agreement.

Sustainability

- 5.75 Policies ENV6 (Sustainable Design & Construction), ENV 7 (District Energy Networks) and ENV9 (Tackling Water Stress) of the Crawley Borough Local Plan and the Planning and Climate Change SPD are relevant to this proposal from the perspective of climate change mitigation and adaptation.
- 5.76 The proposal is supported by an 'Energy and Sustainability Strategy' document which identifies and responds to the Local Plan policies identified above.
- 5.77 In response to policies ENV6 and ENV7 the Strategy sets out an approach to mitigating energy consumption and CO2 emissions in relation to the 'Be Clean', 'Be Lean', 'Be Green' Energy Hierarchy. At the 'be lean' stage, modelled emissions and energy use are reduced in comparison with a notional equivalent Building Regulations compliant building through 'passive' measures, i.e. the specification of more efficient fabric elements, and by a greater level of air tightness. 'Active' measures at this stage include energy efficient lighting.
- 5.78 In respect of 'be clean' measures and policy ENV7, work has commenced on the Town Hall District Heat network. A communal gas-fired system is proposed for the supply of heating and hot water to the development. This should make the development capable of connection to the district heat network in future, in accordance with policy ENV7, and represents a more efficient heating system in the meantime (although these savings are already taken into account at the 'be lean' stage of the modelling). It is suggested that service ducts could be provided to facilitate the future connection.
- 5.79 At the next point in the energy hierarchy ('be green'), a renewable energy supply is proposed in the form of a 25kWp solar PV array installed on the roof, estimated to generate 13,729kWh of energy per annum.
- 5.80 Cumulatively these measures are estimated to reduce CO2 emissions by 7.42% compared with the equivalent notional Building Regulations compliant development, with an 18.28% reduction in energy demand for heating and cooling. The provision of a network ready heating system should provide the potential for further savings to be realised in future.
- 5.81 In respect of Policy ENV9, the Statement indicates that the proposal intends to meet the 'optional' water efficiency requirement identified in the policy, and proposes water meters for the individual apartments. Subject to further clarification at conditions stage, this is acceptable.

- 5.82 In summary, the proposed measures (with some modification in respect of water fittings) are considered to represent an acceptable response to the identified policy requirements, subject to their being secured by appropriate conditions.
- 5.83 With regard to the PV array, the proximity of the site to Gatwick Airport means there is a need for caution to avoid an adverse impact on aviation through glare and other effects. Further details can be secured by a condition in consultation with the airport.

Drainage and contamination

- 5.84 The application has been accompanied by a Flood Risk Assessment and Drainage Strategy. The site falls in flood zone 1, which is land at low risk of flooding. It is proposed to continue the discharge of surface water runoff to the existing public surface water sewer. Below ground SuDS are to be used, in that runoff is to be collected in a gravity pipe network and conveyed to an area of sub surface storage comprising cellular storage crates. This would enable runoff to be limited to pre-development levels in accordance with local and national policy. Drainage maintenance and management is to be the responsibility of a Management Company.
- 5.85 The Drainage Officer has no objection subject to confirmation that the owner of the sewer asset will take the discharge from this development. The applicant has advised that it is proposed to reuse the connections to the public sewers which are owned by Thames Water. The drainage strategy demonstrates that surface water runoff rates will be significantly reduced by virtue of the new development (by up to 90%). With regards to foul water sewerage, it should be noted that Thames Water have commented on the application and they have not raised concerns. In any event, they are obliged to take flow from new development under the latest Ofwat charging rules.
- 5.86 The Drainage Officer notes the explanation and has confirmed that as the developer plans to reuse the existing connection with no increase in surface water flow as a result of the development, he has no objections to this proposal.
- 5.87 The Environmental Health Officer advises that the site is on a former builder's works, railway land, wood yard and filled ground. The applicant's submitted report has highlighted a number of potential pollutate linkages that will require further investigation. Environmental Health recommend a condition that requires a detailed site investigation, a remediation statement and post remediation verification testing and report.

Impact on protected trees and proposed landscaping

- 5.88 There are protected trees in the south west corner of the site adjacent to East Park. The Council's Arboricultural Officer has commented that he is satisfied that the retained trees can be successfully protected and integrated into the new development. Provided all the works are in accordance with the Arboricultural Impact Assessment, Method Statement and the Tree Protection Plan he has no objections. A condition is therefore recommended in this regard.
- 5.89 With regard to landscaping, the proposals include the central courtyard with a broadleaved feature tree, shrubs, bulb planting and wildflower grass mound. There are to be planted beds around the building, plus trees and shrub planting along the southern and eastern boundaries. Full details of the planting and the boundary treatment can be secured via the landscaping conditions.
- 5.90 The Ecology Officer comments that there are no biodiversity policy reasons for refusal or requiring amendment of the proposals and recommends a condition requiring the mitigation and enhancement recommendations of the ecological assessment to be implemented. These measures comprise the proposed landscaping, the installation of bat and bird boxes and a suitable lighting scheme.

Affordable housing

- 5.91 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new

developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need. Payment in lieu will only be accepted in exceptional circumstances.

- 5.92 In order to be policy compliant, the scheme should provide 48 affordable units on site or an appropriate contribution. However, in this case the applicant is a Registered Provider and for this development is proposing a 100% affordable scheme, i.e. 121 affordable units. It thus exceeds the affordable housing requirements and the tenure split is 50:50 between affordable rent (60 units) and shared ownership (61 units).
- 5.93 Policy H3 requires housing developments to provide a mix of dwelling types and sizes to address local housing needs and market demands. The scheme would provide 53 x one bed 2 person flats, 62 x two bed flats (19 x 2bed 3 person and 43x2 bed 4person units) and 6 x three bed 4 person flats. A significant proportion of local need is for smaller units, but the provision of the larger town centre flats is also welcomed. The proposed mix of dwelling types and sizes is considered acceptable on this sustainable town centre site.
- 5.94 The Housing Enabling and Development Officer states that he is *'in full support of this scheme, with a good tenure split for the town centre which effectively includes owner-occupiers through shared-ownership, which is a strategic housing priority for the town centre, and the unit mix includes some three-beds with a predominant provision of two-beds which is our greatest need'*.
- 5.95 The s106 legal agreement will secure the affordable housing provision at a policy compliant level of 40% in the event the site is sold on.
- 5.96 The provision of 100% affordable units is a major material consideration to meet the Borough's considerable affordable housing need in the analysis of this scheme and has to be given due weight in the planning balance.

Infrastructure contributions

- 5.97 Policy CH6 requires that 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. As required by the Green Infrastructure SPD, for this development 121 new trees would need to be provided on site or as payment in lieu (£700 per tree) of this provision. In addition, replacement trees are required for those to be removed as part of the development.
- 5.98 Given the site layout limitations for extensive new tree planting, the application proposes a relatively limited planting scheme. The illustrative landscape masterplan proposals show 13 new trees with one existing tree to be removed. The precise detail, including the number of specimens, will be part of the landscaping scheme required by conditions. Thus a formula for calculating the appropriate payment will need to be included in the s106 agreement as the basis of the commuted sum (121 units minus the number of trees to be provided on site x £700). Based on the above numbers the maximum contribution could be £77,000 for the 110 trees.
- 5.99 Policy ENV5 relates to open space provision and, accordance with the Green Infrastructure SPD methodology, contributions totalling £39,059.25 are required and can be secured through the s106 agreement. This amount comprises £11,227.50 towards the provision of allotments. This could be directed towards enhancing such provision at Malthouse Road. A contribution of £10,990.50 towards provision for children/teenagers is required. This can be directed at the children's play space at Baker Close playground and the youth play space located within Southgate Park. A contribution of £16,841.25 is required for amenity green space, which can go towards facilities in Goffs Park.

- 5.100 The s106 agreement can also secure the travel plan, the car park management plan and the sustainable transport initiatives, including the car club, car sharing group and the cycling user group.
- 5.101 The approval of this application would result in additional residential floorspace which would be CIL liable. The charge and any exemptions will be calculated and a CIL Liability Notice will be issued. An Informative can be attached to the decision notice to inform that this development constitutes Community Infrastructure Levy 'CIL' liable development which is a mandatory financial charge on development.
- 5.102 The Crawley Clinical Commissioning Group has commented that future residents would new likely to register with Saxonbrook Medical Centre. This could exacerbate pressure on that practice and the CCG is seeking funding through CIL for improvement works. This will be considered separately through the Council's CIL procedures.

Gatwick Airport safeguarding

- 5.103 The maximum height of the building would be 108.795 metres AOD. Gatwick Airport Safeguarding and NATS have both commented on the application. An Aviation Impact Assessment was required to be submitted as part of this scheme and following assessment of this GAL have advised that conditions are required relating to the heights of buildings and structures not to exceed 108.795m AOD, no further additions to the building, an obstacle lighting scheme, construction management strategy, bird hazard management plan, control over PV panels and a Cranes Informative.

CONCLUSIONS

- 6.1 The redevelopment of this site for residential purposes is acceptable in principle, being an allocated site in the current Local Plan. This high density scheme would enable the delivery of much needed units in the town centre and in particular the provision of a 100% affordable unit scheme is welcomed to meet Borough's housing need
- 6.2 The site is however, subject to a number of constraints, including the scale and massing of the scheme in regard to its context, relationship with adjoining properties, noise issues arising from proximity to the railway and parking provisions. Such a situation requires an innovative and bespoke approach to resolving the identified issues. In this regard the scheme has been refined and specific design solutions have been put forward to address these concerns and to provide a high quality living environment and, overall, a high standard of development that is sympathetic to the character of the area and complies with Local Plan policies.
- 6.3 Whilst there are some minor design aspects that have not been completely resolved, it is necessary to weigh the social, environmental and economic impact of the proposal to come to a conclusion on this planning application. The proposal would provide a significant number of new affordable residential units in a highly sustainable location within the town centre boundary and meet the general objectives of the NPPF. It is this considered on balance that the benefits of the scheme outweigh the adverse impacts identified in this report.
- 6.4 It is therefore recommended that the scheme is granted planning permission subject to conditions and the completion of a s106 legal agreement to secure:
- provision of affordable housing
 - open space contributions (£39,059.25)
 - tree planting contributions (£77,000)
 - the implementation of measures within the Travel Plan
 - the car park management scheme

RECOMMENDATION RE: CR/2020/0024/FUL

PERMIT – subject to the completion of a section 106 agreement to secure the infrastructure contributions and provisions set out in paragraph 6.4 of this report and the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No works above ground level shall be carried out unless and until a schedule of materials and finishes, together with samples of such materials and finishes to be used for external walls, roofs, balconies and glazing of the proposed building(s) have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the agreed details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-
 - the anticipated number, frequency and types of vehicles used during construction,
 - the method of access and routing of vehicles during construction,
 - details of the area(s) subject to construction activity,
 - details of cranes and other tall construction equipment (including details of obstacle lighting)
 - the parking of vehicles by site operatives and visitors,
 - the loading and unloading of plant, materials and waste,
 - the height and areas for the storage of plant, equipment and materials used in construction of the development,
 - details of temporary lighting
 - the erection and maintenance of security hoarding,
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - details of public engagement both prior to and during construction works.
 - details of a dust and smoke management plan
 - control and disposal of putrescible waste to prevent attraction of birds
 - site restoration
 - protection and mitigation measures for wildlife and habitatREASON: In the interests of highway safety, the amenities of the area, to ensure that the development does not endanger the safe movements of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids & surveillance equipment and to accord with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.
5. No on-site preparation works or development related to this planning permission shall take place until the approved details as set out in the Arboricultural Impact Assessment dated 20th December 2019 and the Arboricultural Method Statement dated 23rd December 2019 including the tree protection measures have been implemented in full. The development shall be implemented in accordance with the approved details and the tree protection measures shall thereafter be retained in accordance with the approved details throughout the construction period until the development is completed.
REASON: To ensure the retention and maintenance of trees important to the visual amenity and the environment of the development in accordance with Policy CH3 of Crawley Borough Local Plan 2015-2030 and the Green Infrastructure Supplementary Planning Document.
6. Development shall not begin until a scheme to deal with contamination of the site and / or ground water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all the following measures:

1. A Desk Study (including Conceptual Model of potential pollutant linkages) The study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. Two full copies of the desk-top study and the non-technical summary shall be submitted to the LPA.

and the following stages where required:-

2. A Detailed Site Investigation. This shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology BS 10175:2011. The site investigation should fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications, including an assessment of risk to any potential receptors. A full report on the findings of the site investigation shall be submitted to the LPA

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

4. Post Remediation Verification Testing and Report. 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.

Development shall not commence until the measures approved in the scheme have been implemented. REASON: To safeguard occupiers of the site in accordance with Policy ENV10 of the Crawley Borough Local Plan 2015 - 2030.

7. No building or structure that forms part of the development hereby permitted shall exceed 108.795m AOD.

REASON: To avoid any building/structure on the application site endangering the safe movement of aircraft and the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking and re-enacting this order with or without modification, no development, telecommunications equipment, renewable energy equipment, other equipment or advertisements other than those shown on the drawings hereby approved shall be installed or carried out on the roof of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.

REASON: To ensure that 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, to enable the Local Planning Authority to control extensions and alterations that could have significant visual impact and in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

9. Obstacle lights shall be placed on the four corners of the upper roof level. These obstacle lights must be Type B, steady state red lights at 32 candelas. Details of these lights can be found in Table Q-1.

Characteristics of obstacle lights & Table Q-2. Light distribution for low intensity obstacle lights in Chapter Q – Visual Aids for Denoting Obstacles of CS ADR-DSN available at <https://www.easa.europa.eu/document-library/certification-specifications/cs-adr-dsn-issue-4>
The obstacle lights should be lit from 30 minutes before sunset to 30 minutes after sunrise.
REASON: Permanent illuminated obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

10. No development shall commence unless and until details of the balcony construction, the glazing and the ventilation system have been submitted to and agreed in writing by the Local Planning Authority. Once so agreed the development shall be implemented in accordance with the approved details and maintained in perpetuity for the life of the development. The details shall include the design drawings, supporting documentation and scientific and technical details supporting the choice of design.
REASON: To prevent noise giving rise to significant adverse impacts on health and quality of life in accordance with paragraph 170 and 180 of the National Planning Policy Framework and the Noise Policy Statement for England and policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.
11. For the development hereby permitted the separating structural elements (floors and walls) between any residential dwelling and any service area or room housing plant shall achieve a minimum airborne sound insulation value of 65 dB DnT,w+Ctr. Upon completion of the construction and prior to occupation of the flats post-completion testing shall be carried out to ensure that the above sound insulation value has been achieved. The results of the assessment shall be submitted in writing to the Local Planning Authority together with plans, drawings and a detailed description of the construction that achieved the stipulated sound insulation value.
REASON: To prevent noise giving rise to significant adverse impacts on health and quality of life in accordance with paragraph 170 and 180 of the National Planning Policy Framework and the Noise Policy Statement for England and policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.
12. All plant, machinery and equipment (including fans, ducting and external openings) to be installed as part of the development shall be maintained and operated so as to prevent the transmission of noise and vibration into any premises either attached to, or in the vicinity of the premises to which the application refers.
REASON: To prevent noise giving rise to significant adverse impacts on health and quality of life in accordance with paragraph 170 and 180 of the National Planning Policy Framework and the Noise Policy Statement for England and policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.
13. No development shall commence until a scheme has been submitted to and agreed in writing by the Local Planning Authority in relation to the prevention of overheating in the dwellings. Once so agreed the scheme shall be implemented strictly in accordance with the agreed details and maintained in perpetuity for the life of the development. The scheme shall include a Chartered Institute of Building Service Engineers Technical Manual 59 (CIBSE TM:59) assessment for Design Standard Years (DSY) 1, 2 and 3 for 2020's, 2050's and 2080's respectively and must demonstrate a pass for all dwellings against DSY 1 and show how failures have been prevented or minimised for DSY 2 by good design. In designing to prevent overheating then regard shall be had to the cooling hierarchy:
 - Minimise internal heat generation through energy efficient design;
 - Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls;
 - Design to enable passive ventilation (e.g. cross ventilation);
 - Provide mechanical ventilation;
 - Provide active cooling (ensuring they are the lowest carbon options).REASON: To secure sustainable development in accordance with Chapter 2 of the NPPF and policies CH3 and ENV6 of the Crawley Borough Local Plan 2015-2030.
14. No development shall commence until a checklist of actions required to implement the mitigation and enhancement recommendations set out in the ecological assessment report by Ecology Solutions has been prepared and a copy sent to, and approved in writing by, the Local Planning Authority. The actions

set out in the approved checklist shall be implemented in full unless otherwise approved in writing by the Local Planning Authority and a completed copy, signed by the project ecologist shall be submitted to the Local Planning Authority for approval prior to first occupation of any unit.

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 Local Plan and paragraph 175 of the NPPF.

15. No vehicles other than emergency and refuse vehicles shall be permitted to enter or exit the site via East Park.
REASON: In the interest of highway safety, the amenities of the area and to ensure a satisfactory standard of access to the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
16. No part of the development shall be occupied until a footway providing a continuous connection from the eastern boundary of the site to connect with the existing footway within the adjoining Arora Hotel site has been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing.
Reason: In the interests of highway safety, improved connectivity and to accord with Policy CH3 of the Crawley Borough Local Plan 2015- 2030.
17. The development shall not be occupied until the vehicle parking and turning spaces have been constructed and provided in accordance with the approved plans. These spaces shall thereafter only be used and retained for their designated use.
REASON: To provide adequate on-site parking and turning space for the development in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.
18. The development shall not be occupied unless and until the bollards and traffic barriers have been installed in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The bollards and barrier shall thereafter be retained as part of the development.
REASON: in the interest of road safety and amenity and in accordance with policy CH3 of the Crawley Borough Local Plan 2015 -2030
19. The development shall not be occupied until the cycle parking facilities have been provided in accordance with the details shown on approved plans. These facilities shall thereafter be retained for their designated use.
REASON: To provide alternative travel options to the use of the car in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.
20. The development hereby approved shall not be occupied until the facilities for refuse and recycling bin storage and collection and access for collection have been provided in accordance with the approved plans and details. The facilities shall subsequently be maintained and be retained for the use of residents.
REASON: To ensure the operational requirements of the site are met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
21. Development shall not commence until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: To reduce the risk of flooding and safeguard future occupants of the site in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015 - 2030.
22. No above ground development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, new specimens to be planted and details of the boundary treatments, the external appearance of the sub -station, the electric vehicle charging points and external lighting. The scheme shall be implemented in accordance with the approved details.
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

23. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
24. No above ground development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The landscaping management plans shall be carried out as approved.
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.
25. No development above slab level shall take place unless and until a scheme to provide combined television reception facilities and superfast broadband to the dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority. The approved facilities shall be made available to each individual unit prior to that unit being occupied.
REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.
26. Prior to their installation, details of rainwater goods, external extract grilles, pipes and flues shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.
REASON: 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.
27. The residential units shall not be occupied until design-stage SAP calculation summaries for the development, detailing a level of environmental performance consistent with the submitted Energy and Sustainability Strategy dated 6 January 2020, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.
REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.
28. The residential units shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate that they shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption. The scheme shall be implemented in accordance with the agreed details.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.
29. No works on the new building shall commence on site until full details of the PV solar energy scheme referred to in the submitted Energy and Sustainability Strategy dated 6 January 2020 have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved solar energy scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the development addresses energy efficiency and climate change, does not endanger the safe movement of aircraft or the operation of Gatwick Airport through glint and glare in accordance with Policies ENV6 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.

30. Before above ground works commence, details of the provisions made within the scheme design to enable the development to be 'network ready' in the event that a District Energy Scheme is delivered in the vicinity, referred to in the submitted Energy and Sustainability Strategy dated 6 January 2020, 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 and the Planning and Climate Change SPD.
31. The Bird Hazard Management Plan dated December 2019 shall be implemented as approved upon completion of the roof and shall remain in force for the life of the development. 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 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 policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

Informative(s)

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. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at www.aoa.org.uk/policy-campaigns/operations-safety/
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, email 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.
 - 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 benefiting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

4. The water efficiency standard required under condition 28 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
5. The applicant is advised to consider the incorporation into the scheme of the Secured by Design measures set out in detail in the letter from Sussex Police dated 27th July 2020
6. The applicant is strongly encouraged to safeguard the space identified within the development to enable the building to be 'Network Ready' in the event the Town Centre Energy Scheme is delivered allowing the development to benefit from this technology.
7. Southern Water requires a formal application for connection and on-site mains to be made by the applicant or developer. We request that should this application receive planning approval, the following informative is attached to the consent: A formal application for connection to the water supply is required in order to service this development.
For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at: developerservices@southernwater.co.uk
8. 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. The developer should demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to surface water drainage, Thames Water advise that where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>

9. Due to the close proximity of the proposed demolition and erection of a new building to Network Rail land, the developer must contact Network Rail's Asset Protection team via AssetProtectionLondonSouthEast@networkrail.co.uk prior to any works commencing on site, with a view to enter into an Asset Protection Agreement to enable approval of detailed works. More information can also be obtained from the website <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>.

As well as contacting the Asset Protection team, the applicant must follow Network Rail guidance for developments within close proximity to the operational railway.

10. The applicant may be required to apply for other consents directly from the environment Agency. The term 'consent' covers consents, permissions or licences for different activities (such as water abstraction or discharging to a stream), and the EA have a regulatory role in issuing and monitoring them. The applicant should contact 03708 506 506 or consult the website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.

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 through pre-application discussions/correspondence.

- 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.

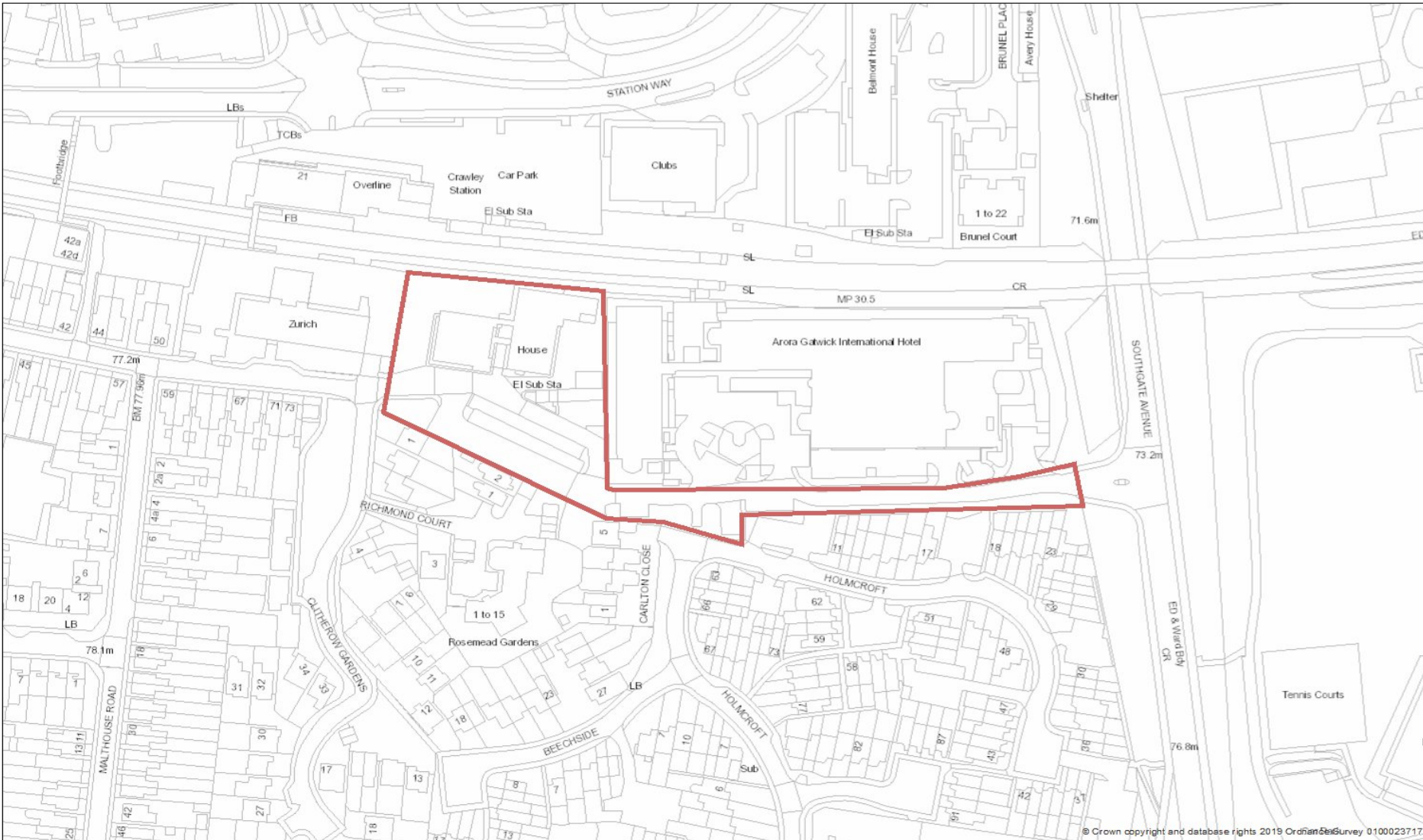


ArcGIS Web Map



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, 3 November 2020

2. Lobbying Declarations

The following lobbying declarations were made by councillors:-

Councillors A Belben, Irvine, Jaggard, Mwagale, Purdy, Rana, Sharma, and P Smith had been lobbied regarding application CR/2020/0024/FUL.

6. Planning Application CR/2020/0024/FUL - Longley House, East Park, Southgate, Crawley

The Committee considered report [PES/356c](#) of the Head of Economy and Planning which proposed as follows:

Demolition of Longley House (offices) & erection of building ranging between 4 to 9 storeys to provide 121 x residential units (class C3) with associated sub-station, car/cycle parking, tree works, public realm improvements and landscaping.

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

The Principal Planning Officer (VC) provided a verbal summation of the application and updated the Committee regarding amendments to the application conditions. The new proposed conditions were therefore as follows:

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 works above ground level shall be carried out unless and until a schedule of materials and finishes, together with samples of such materials and finishes to be used for external walls, roofs, balconies and glazing of the proposed building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in strict accordance with the agreed details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be

implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:-

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

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

5. No on-site preparation works or development related to this planning permission shall take place until the approved details as set out in the Arboricultural Impact Assessment dated 20th December 2019 and the Arboricultural Method Statement dated 23rd December 2019 including the tree protection measures have been implemented in full. The development shall be implemented in accordance with the approved details and the tree protection measures shall thereafter be retained in accordance with the approved details throughout the construction period until the development is completed.

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

6. Development shall not begin until a scheme to deal with contamination of the site and / or ground water has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all the following measures:

1. The submitted Desk Study entitled 'Desk Study and Preliminary Risk Assessment Report' by ST Consult dated 11th November 2019.

And the following stages where required:-

2. A Detailed Site Investigation. This shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology BS 10175:2011. The site investigation should fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications,

including an assessment of risk to any potential receptors. A full report on the findings of the site investigation shall be submitted to the LPA

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

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

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

7. No building or structure that forms part of the development hereby permitted shall exceed 108.795m AOD.
REASON: To avoid any building/structure on the application site endangering the safe movement of aircraft and the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking and re-enacting this order with or without modification, no development, telecommunications equipment, renewable energy equipment, other equipment or advertisements other than those shown on the drawings hereby approved shall be installed or carried out on the roof of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.
REASON: To ensure that 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, to enable the Local Planning Authority to control extensions and alterations that could have significant visual impact and in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

9. Obstacle lights shall be placed on the four corners of the upper roof level. These obstacle lights must be Type B, steady state red lights at 32 candelas. Details of these lights can be found in Table Q-1. Characteristics of obstacle lights & Table Q-2. Light distribution for low intensity obstacle lights in Chapter Q – Visual Aids for Denoting Obstacles of CS ADR-DSN available at <https://www.easa.europa.eu/document-library/certification-specifications/cs-adr-dsn-issue-4>. The obstacle lights should be lit from 30 minutes before sunset to 30 minutes after sunrise.
REASON: Permanent illuminated obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
10. No works above ground level shall be carried out unless and until the following acoustic design details comprising the details of the balcony construction, the glazing, the acoustic barrier along the northern boundary, the ventilation system and the structural partitions between the service or plant areas and any residential dwelling have been submitted to and agreed in writing by the Local Planning Authority. Once so agreed the development shall be implemented in accordance with the approved details and maintained in perpetuity for the life of the development. The details shall include the design drawings, supporting documentation and scientific and technical details supporting the choice of design.
REASON: To prevent noise giving rise to significant adverse impacts on health and quality of life in accordance with paragraph 170 and 180 of the National Planning Policy Framework and the Noise Policy Statement for England and policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.
11. All plant, machinery and equipment (including fans, ducting and external openings) to be installed as part of the development shall be maintained and operated so as to prevent the transmission of noise and vibration into any premises either attached to, or in the vicinity of the premises to which the application refers.
REASON: To prevent noise giving rise to significant adverse impacts on health and quality of life in accordance with paragraph 170 and 180 of the National Planning Policy Framework and the Noise Policy Statement for England and policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.
12. No works above ground level shall be carried out until a scheme has been submitted to and agreed in writing by the Local Planning Authority in relation to the prevention of overheating in the dwellings. Once so agreed the scheme shall be implemented strictly in accordance with the agreed details and maintained in perpetuity for the life of the development. The scheme shall include a Chartered Institute of Building Service Engineers Technical Manual 59 (CIBSE TM:59) assessment for Design Standard Year (DSY) 1 for 2020s 2050s and 2080s and must demonstrate a pass for all dwellings against DSY 1 2020s. DSY 1 shall be reported for 2050s and 2080s. In designing to prevent overheating then regard shall be had to the cooling hierarchy:
- Minimise internal heat generation through energy efficient design;
 - Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls;
 - Design to enable passive ventilation (e.g. cross ventilation);
 - Provide mechanical ventilation;
 - Provide active cooling (ensuring they are the lowest carbon options).

REASON: To secure sustainable development in accordance with Chapter 2 of the NPPF and policies CH3 and ENV6 of the Crawley Borough Local Plan 2015-2030.

13. No works above ground level shall be carried out until a checklist of actions required to implement the mitigation and enhancement recommendations set out in the ecological assessment report by Ecology Solutions has been prepared and a copy sent to, and approved in writing by, the Local Planning Authority. The actions set out in the approved checklist shall be implemented in full unless otherwise approved in writing by the Local Planning Authority and a completed copy, signed by the project ecologist shall be submitted to the Local Planning Authority for approval prior to first occupation of any unit.
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 Local Plan and paragraph 175 of the NPPF.
14. No vehicles other than emergency and refuse vehicles shall be permitted to enter or exit the site via East Park.
REASON: In the interest of highway safety, the amenities of the area and to ensure a satisfactory standard of access to the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
15. No part of the development shall be occupied until a footway providing a continuous connection from the eastern boundary of the site to connect with the existing footway within the adjoining Arora Hotel site has been provided in accordance with plans and details submitted to and approved and writing by the Local Planning Authority, unless otherwise agreed in writing.
REASON: In the interests of highway safety, improved connectivity and to accord with Policy CH3 of the Crawley Borough Local Plan 2015- 2030.
16. The development shall not be occupied until the vehicle parking and turning spaces have been constructed and provided in accordance with the approved plans. These spaces shall thereafter only be used and retained for their designated use.
REASON: To provide adequate on-site parking and turning space for the development in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.
17. The development shall not be occupied unless and until the bollards and traffic barriers have been installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The bollards and barrier shall thereafter be retained as part of the development.
REASON: in the interest of road safety and amenity and in accordance with policy CH3 of the Crawley Borough Local Plan 2015 -2030.
18. The development shall not be occupied until the cycle parking facilities have been provided in accordance with the details shown on approved plans, unless an alternative location is agreed by the Local Planning Authority in writing. These facilities shall thereafter be retained for their designated use.
REASON: To provide alternative travel options to the use of the car in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015 – 2030.
19. The development hereby approved shall not be occupied until the facilities for refuse and recycling bin storage and collection and access for collection have been provided in accordance with the approved plans and details, unless an alternative location is agreed by the Local Planning Authority in writing. The

facilities shall subsequently be maintained and be retained for the use of residents.

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

20. No works above ground level shall be carried out until full details of the maintenance and management of the SuDS system is set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: To reduce the risk of flooding and safeguard future occupants of the site in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015 - 2030.
21. No above ground development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, new specimens to be planted and details of the boundary treatments, the external appearance of the sub -station, the electric vehicle charging points and external lighting. The scheme shall be implemented in accordance with the approved details.
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
22. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
23. No above ground development shall take place unless and until there has been submitted to and approved in writing by the Local Planning Authority a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The landscaping management plans shall be carried out as approved.
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.
24. No development above slab level shall take place unless and until a scheme to provide combined television reception facilities and superfast broadband to the dwellings hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority. The approved facilities shall be made available to each individual unit prior to that unit being occupied.
REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

25. Prior to their installation, details of rainwater goods, external extract grilles, pipes and flues shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: 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.

26. No development, except demolition of the existing building, shall commence until the following information has been submitted to and agreed in writing by the Local Planning Authority:

A) details of the communal gas heating system, referred to in the submitted Energy and Sustainability Strategy dated 6 January 2020, including provisions to enable potential connection to a future District Energy Scheme;

or

B) Details of an alternative site-wide energy strategy, including verification that it will achieve:

- Lower CO2 emissions than the strategy detailed in the Energy and Sustainability Strategy dated 6 January 2020, when both are assessed according to a version of the SAP methodology to be agreed with the local planning authority;
- and,
- A standard of energy efficiency no worse than the strategy detailed in the Energy and Sustainability Strategy dated 6 January 2020, when both are assessed according to a version of the SAP methodology to be agreed with the local planning authority, OR additional CO2 reductions through the inclusion of further solar photovoltaics with an additional capacity of at least 10kWp over and above that described in the submitted Energy and Sustainability Strategy dated 6 January 2020.

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 SPD.

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

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

28. No works above ground level shall be carried out until full details of the PV solar energy scheme referred to in the submitted Energy and Sustainability Strategy dated 6 January 2020 have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved solar energy scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be

implemented as approved prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority. REASON: To ensure the development addresses energy efficiency and climate change, does not endanger the safe movement of aircraft or the operation of Gatwick Airport through glint and glare in accordance with Policies ENV6 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.

29. The residential units shall not be occupied until design-stage SAP calculation summaries for the development, detailing a level of environmental performance consistent with the submitted Energy and Sustainability Strategy dated 6 January 2020, or an alternative strategy agreed under condition 26, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

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

30. The Bird Hazard Management Plan dated December 2019 shall be implemented as approved upon completion of the roof and shall remain in force for the life of the development. 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 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 policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

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

A statement from an objector (Mr Jason Baughan) highlighted matters including:

- The impact of the construction works on nearby residents in relation to both the amount of dust generated by the works and the potential for traffic delays caused by works vehicles using the access road.
- The extent and duration of noise caused by building works that had occurred over the months prior, which were indicative of the noise disruption that the proposed development would cause to neighbours.
- The height of the proposed development – which would lead to overlooking and a loss of privacy in the resident's garden.

A statement from a supporter (the applicant, A2 Dominion) highlighted matters including:

- The provision of 100% affordable housing as part of the proposed development, which exceeded local planning policy requirements.
- That through engagement with the Local Planning Authority, the scheme was developed to address concerns regarding overlooking of neighbouring properties through the inclusion of sawtooth projections.
- The proposed 58 car parking spaces at the site (30% of which would provide electric vehicle charging points) which equated to 50% provision. This was deemed acceptable due to the site's proximity to public transport links.

The Committee then considered the application, and discussed the following:

- The requirement from the Government to increase the number and density of housing in Crawley.

- The sustainable location of the site.
- It was recognised that the applicant had worked with planning officers on the design of the proposed development in order to meet the Local Planning Authority's criteria, for example regarding noise and overlooking.
- Concerns were raised regarding the height and massing of the development, which was considered to be out of proportion to nearby buildings. The Principal Planning Officer clarified that the stepped design, the detailing and the materials proposed provided a transition to the scale and character of surrounding development.
- Following a query from a Committee member, the Principal Planning Officer confirmed that the proposed development was to be sited, at its closest points, 21 metres from Clitherow Gardens and 14.4 metres from Richmond Court. It was heard that Longley House was currently sited 24 metres and 37 metres from each respectively.
- It was confirmed that bedroom windows facing toward the Arora Hotel would have a panel of obscured glass in the centre in order to mitigate overlooking.
- The shortfall of amenity space was queried. It was confirmed that, regarding the smallest units, there would be a shortfall of between 0.3 and 0.4 metres of balcony space for six of the one bedroom dwellings.
- It was heard that condition 4 required a construction management plan be submitted, which would set out parameters on access, noise, cranes, etc during the construction period.
- Committee members expressed support for the environmentally friendly aspects of the proposals, such as solar panels and sustainable planting.
- Concerns were raised regarding the proposed provision of 58 parking spaces, which was thought to be insufficient considering the number of 2 and 3 bedroom dwellings at the site. The Planning Officer confirmed that the applicant would implement a car park management scheme.
- It was confirmed that 33 letters of 'no objection' had been received from residents across Crawley regarding the application.
- Following a query from a Committee member regarding a possible alternative access route to the site it was clarified that the decision had to be made with regard to the proposed access, to which West Sussex County Council as the highways authority had raised no objections.

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

For the recommendation to permit:
Councillors Irvine, Purdy, Rana, Sharma and P Smith (5).

Against the recommendation to permit:
Councillors A Belben, Jaggard, and Mwagale (3).

Abstentions:
None.

RESOLVED

Permit subject to conditions and informatives set out in report PES/356c (as amended above), and the completion of a section 106 agreement to secure the infrastructure contributions and provisions set out in paragraph 6.4 of the report.

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 30 August 2022
REPORT NO: PES/405(b)

REFERENCE NO: CR/2020/0192/RG3

LOCATION: [BREEZEHURST PLAYING FIELDS, OFF BREEZEHURST DRIVE, BEWBUSH, CRAWLEY](#)

WARD: Bewbush & North Broadfield

PROPOSAL: ERECTION OF 85 AFFORDABLE HOUSES & FLATS, COMPRISING:
18 X ONE BEDROOM FLATS
38 X TWO BEDROOM FLATS
9 X TWO BEDROOM HOUSES
17 X THREE BEDROOM HOUSES
3 X FOUR BEDROOM HOUSES
ACCESS ROADS, CAR PARKING, SPORTS PITCH, OPEN SPACE & ASSOCIATED WORKS
(AMENDED PLANS AND DESCRIPTION)

TARGET DECISION DATE: 22 July 2020

CASE OFFICER: Mr M. Robinson

APPLICANT'S NAME: Crawley Borough Council

AGENT'S NAME: Bailey Partnership LLP Consultants

PLANS & DRAWINGS CONSIDERED:

| Drawing Number | Revision | Drawing Title |
|------------------------|-----------------|---|
| BDP-BPC-XX-00-DR-A 001 | P01 | Site Location Plan |
| BDP-BPC-XX-00-DR-A 002 | P01 | Existing Site Layout Plan |
| BDP-BPC-XX-00-DR-A 003 | P05 | Proposed Site Block Plan |
| BDP-BPC-XX-00-DR-A 004 | P05 | Proposed Site Layout Plan |
| BDP-BPC-XX-00-DR-A 005 | P04 | Proposed Site Roof Plan |
| BDP-BPC-XX-XX-DR-A 007 | P03 | Standard House Type Sections |
| BDC-BPC-XX-XX-DR-A 008 | P03 | Maisonette & Apartment Blocks Typical Cross Sections |
| BDP-BPC-XX-XX-DR-A 009 | P02 | Bin Store Plan, Section & Elevations |
| BDP-BPC-XX-00-DR-A 010 | P04 | Refuse Strategy Plan |
| BDC-BPC-XX-XX-DR-A 012 | P05 | House Type 2A Floor Plans & Elevations (2B-4P) |
| BDC-BPC-XX-XX-DR-A 013 | P05 | House Type 2B Floor Plans & Elevations (2B-4P) |
| BDC-BPC-XX-XX-DR-A 014 | P05 | House Type 3A Floor Plans & Elevations (3B-5P) |
| BDC-BPC-XX-XX-DR-A 015 | P05 | House Type 3B Floor Plans & Elevations (3B-5P) |
| BDC-BPC-XX-XX-DR-A 018 | P04 | Apartment Block A - Ground & First Floor Plans (4x1B-2P & 4x2B-4P) |
| BDC-BPC-XX-XX-DR-A 019 | P04 | Apartment Block A - Second Floor & Roof Plans (2x1B-2P & 2x2B-4P) |
| BDC-BPC-XX-XX-DR-A 020 | P05 | Apartment Block A - East & West Elevations |
| BDC-BPC-XX-XX-DR-A 021 | P05 | Apartment Block A - North & South Elevations |
| BDC-BPC-XX-XX-DR-A 022 | P05 | Apartment Blocks B, C, D & E - Ground & First Floor Plans (2x1B2P & 4x2B4P) |

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| | | |
|------------------------|-----|--|
| BDC-BPC-XX-XX-DR-A 023 | P05 | Apartment Blocks B, C, D & E - Second Floor & Roof Plans (1x1B2P & 2x2B4P) |
| BDC-BPC-XX-XX-DR-A 024 | 05 | Apartment Blocks B, C, D & E - North & South Elevations |
| BDC-BPC-XX-XX-DR-A 025 | P04 | Apartment Blocks B, C, D & E - East & West Elevations |
| BDC-BPC-XX-XX-DR-A 026 | P07 | Maisonette Type A1 Floor Plans (4x2B-4P) |
| BDC-BPC-XX-XX-DR-A 027 | P07 | Maisonette Type A1 Elevations (4x2B-4P) |
| BDC BPC XX XX DR A 052 | P02 | Apartment Block A North & South Sectional Elevations |
| BDC BPC XX XX DR A 051 | P02 | Apartment Blocks D, C, D & E East & West Sectional Elevations |
| BDC BPC XX XX DR A 046 | P03 | House Types-NS-Plots 15, 16 & 17 Sheet 1 |
| BDC BPC XX XX DR A 047 | P02 | House Types-NS-Plots 15, 16 & 17 Sheet 2 |
| BDC BPC XX XX DR A 050 | P02 | House types-NS-Plots 40 & 41 |
| BDP BPC XX XX DR A 011 | P01 | Bin Store 02 Units 50-58 & 68-78 Plan, Section & Elevations |
| BDC PBC XX XX DR A 048 | P03 | House types-NS-Plots 13 & 14-18 & 19 |
| BDC BPC XX XX DR A 049 | P02 | House types-NS-Plots 38 & 39 |

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE

- 1.1 This application was considered at the meeting of the Planning Committee on 8th February 2021. A copy of the original committee report is attached as Appendix A and the minutes of the item are attached as Appendix B at the end of this report.
- 1.2 It was resolved to grant planning permission for the development subject to the completion of a S106 agreement to provide off site sports provision improvements and open space, play space and allotment mitigation.
- 1.3 Since the Committee meeting, discussions had been ongoing to agree the wording of the clauses of the s106 agreement. The agreement was close to completion when the Natural England Position Statement regarding water neutrality was received by the Local Planning Authority on 14th September 2021. As a consequence, the planning permission cannot be issued until this matter is fully addressed. Further details have now been submitted to address the issues raised by the Natural England Position Statement and as a result, the application is being referred back to the Committee, so that this can now be considered.
- 1.4 This report addresses the water neutrality situation and the mitigation measures now proposed which need to be secured through the s106 agreement. There are also amendments to the recommended conditions to reflect water neutrality requirements.

PLANNING CONSIDERATIONS:-

- 2.1 This report considers the specific matter of water neutrality which has arisen since the application was previously considered by the Committee.

Water Neutrality

- 2.2 Crawley is situated in an area of serious water stress, as identified by the Environment Agency. The application site would be supplied with water by Southern Water. The site is within its Sussex North Water Resource Zone (SNWRZ). The water supply for this area is sourced from abstraction points in the Arun Valley. The 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 are also in the Arun Valley.

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- 2.3 On 14th 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 states that developments within the SNWRZ must not add to this impact.
- 2.4 Under the Conservation of Habitats and Species Regulations 2017 (s.63), Crawley Borough Council (CBC) 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, that all developments (including applications for planning permission) in the SNWRZ must demonstrate that they do not increase pressure on water resources and that they are “*water neutral*.” As a consequence, all developments that may affect water consumption need to be ‘screened’ to identify whether individually or in combination with other projects, they would 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 in regard to the net water usage of the development to enable an “Appropriate Assessment” to be undertaken by CBC as to whether there could be any significant impacts from the development on the Arun Valley sites. 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 is undertaken must be the same or lower after the development is in place.
- 2.6 This application is one where the new residential development proposed for the site, would use more water than the existing use of the site as a playing field. In itself this, application would not therefore be water neutral. In these circumstances, water neutrality can only be achieved by having significant water efficiency measures built into the development and by providing offsetting measures to reduce consumption from existing development elsewhere in the SNWRZ. The applicant needs to demonstrate robustly that it can deliver water neutrality for its proposals, and the measures will need to be secured by a s106 legal agreement.
- 2.7 A range of documents have therefore been submitted with the application, including a “Water Neutrality Report” (which was updated to respond to queries from the Council’s consultants), “CBC Water Neutrality Strategy Combined”, “Water Off-Set Retrofitting Strategy (Phase 1)” with associated evidence, an “Energy and Sustainability Statement”, water usage records and bills, existing and proposed floorplans, and developer’s building specifications; along with supporting emails and other correspondence. This information has been independently assessed for CBC by a specialist consultant.
- 2.8 As the site is a playing field with no previous water use the review considered the water consumption figures for the proposed development. The proposed water use for the new flats has been calculated based on the proposed building layout and water fittings, and an 88% occupancy based on the Part G of the Building Regulations. For the flats, the scheme will include the installation of water efficient fixtures and fittings, plus grey water recycling. With these measures, total water consumption for the flats would be 83 litres per person per day. The houses would have water efficiency measures internally and rainwater harvesting in the form of water butts externally, (with a requirement that no external taps are fitted). With these measures, total water consumption for the houses would be 90.3 litres per person per day. Both the flats and the houses would therefore be well below the current local plan policy target of 110 litres per person per day. The final daily usage requirement for the proposed development, including mitigation, is 22,612 litres per day (126 x 83.0 apartment demand + 134 x 90.7 houses/maisonettes demand).
- 2.9 This net water demand needs to be offset for the development to be water neutral. In this case the offsetting is to come from the Water Neutrality Retrofit Programme for Crawley Homes. This programme will deliver water savings from the existing Crawley Homes housing stock to offset the water consumption of a number of pilot schemes, including Breezehurst Drive and Longley House - to enable these key affordable housing schemes to be delivered.
- 2.10 The proposal is that Crawley Homes stock will be retrofitted with a flow-regulator that is capable of reducing water consumption by an estimated 22%. The flow regulators are being fitted at the cold

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water inlet to each dwelling to restrict the flow rate of water entering the property. They can be supplied and fitted quickly, at a reasonable cost and without the need for internal access to the house. The water savings are achieved primarily from fittings that run for a specific time, such as running taps and showers. However, the flow limiter does not have any effect on volume-limited fittings, such as toilets or baths. It is a sealed unit that is permanently plumbed-in and cannot be adjusted by the occupant and it is required to be installed by a qualified tradesperson. In addition, if a tenant attempted to remove or replace this device without the Council's consent they would potentially be in breach of their Tenancy Agreement. This therefore provides added assurance that this measure, once installed, will not be tampered with and that it will provide long term water savings.

- 2.11 A contract has been awarded to Cenergist to deliver the scheme. This has commenced with an initial group of 100 properties, in order to ascertain the pace at which this programme can be rolled out and to verify the extent of water savings that can be achieved. Meter readings are being taken at appropriate times before and after fitting to demonstrate the water savings achieved. The data from this initial phase is currently being analysed. The next stage is to commission a further c1300 units to meet the offset requirements of the identified pilot schemes (which includes Longley House as well as the proposed development at Breezehurst Drive). A report was considered by Cabinet on 6th July 2020 and ratified by Full Council to secure the appropriate budget for this next phase. Overall up to 1500 properties would be retrofitted within the current available budget.
- 2.12 A key element in ensuring this strategy is robust is the need for an ongoing management and maintenance programme. Crawley Homes already manages and maintains its existing housing stock, with an established regime in place. This will now include the monitoring and maintenance of this water saving device. CBC's water consultants therefore consider that the maintenance and enforcement of the proposed measures in perpetuity is manageable. In addition, given the size of the Crawley Homes stock at 8000+ dwellings there is sufficient capacity to draw on additional properties to deliver the water savings, should the pilot show that the savings per unit are lower than envisaged.
- 2.13 The assumption is that each retrofit of an existing CBC dwelling will deliver average water savings of 20 litres/per person/per day and so with the average occupancy of 2.5 persons per dwelling, each property retrofitted would save 50 litres per day. In order for the Breezehurst Drive scheme to be water neutral, a minimum of 452 Crawley Homes properties will need to be retrofitted, and it is anticipated this will be achieved over a four month period.
- 2.14 Officers and consultants appointed by CBC have considered the reports and agree with the assumptions and conclusions. It is therefore considered that, assuming the development is implemented in accordance with the evidence provided, and the retrofitting occurs and makes the targeted water savings, the development would be 'water neutral'.
- 2.15 In order to ensure the measures proposed by the applicants are fully implemented, specific water neutrality clauses are required to be included in the legal agreement. These include:
- the implementation of the water efficiency measures in the new houses and flats;
 - the implementation and ongoing maintenance of the greywater recycling system to serve the flats;
 - the management and monitoring of the Crawley Homes retrofitting scheme; and
 - to limit occupation of the new dwellings until the water savings from the Crawley Homes retrofitting scheme have been realised and that it has been robustly demonstrated that the required water savings have been achieved.
- 2.16 Based on these findings an Appropriate Assessment document is being prepared to be sent to Natural England for comment (as required under Habitat Regulations). A reasonable time period is required for that consultation.

Conditions

- 2.17 Water efficiency measures would be controlled through the Section 106 agreement. A full set of the updated conditions that now omits water efficiency measures is shown at the end of this report within the recommendation section.

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CONCLUSIONS:-

- 3.1 As set out above, since the original resolution to grant planning permission in February 2021, the matter of water neutrality has arisen which has resulted in the applicant having to demonstrate that the proposal would be water neutral. It is considered that the applicants have successfully demonstrated that the proposed development would achieve water neutrality subject to clauses in the s106 agreement to ensure the measures contained within the submitted documents are fully implemented, including the water efficiency measures in the new dwellings and the offsetting achieved through the Crawley Homes retrofitting programme.
- 3.2 It is therefore considered that the proposal is acceptable for the reasons as set out in this report. Subject therefore to the associated conditions which have been amended to reflect the current position, and the completion of the S106 agreement, the resolution is to permit the development.

RECOMMENDATION RE: CR/2020/0192/RG3

PERMIT - Subject to the conclusion of a Section 106 Agreement.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the dwellings relative to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No development shall be carried out above ground level unless and until a schedule and samples of materials and finishes to be used for external walls, roofs, windows, doors, cladding, panels, and balconies (including balustrade glazing), of the proposed buildings have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No apartment on the first or second floors of Apartment Block A (plots 20-31) shall be occupied until a balcony screen has been implemented in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority. The balcony screens shall thereafter be maintained in accordance with the approved details.
REASON: To ensure neighbour occupiers amenities are protected in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. Before the development hereby permitted is commenced, the final scheme shall have been submitted to and been approved in writing by the Local Planning Authority to protect the site and dwellings against the noise from the A2220. The scheme shall be in accordance with the design Option 01E set out in the Noise Report by MACH Acoustics named Breezehurst Drive II (Revision 03 dated 27/03/2020).
 1. For the purposes of this condition the scheme shall demonstrate that all reasonable mitigation measures have been employed to mitigate noise impacts to an acceptable level that is as low as is reasonably achievable. The mitigation shall include, but not exclusively, the following steps:

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

2. The scheme shall also demonstrate that the above mitigation steps in paragraph (1) are able to achieve:
 - (a) a noise level within any (unoccupied) domestic living room (including kitchen/diners and open plan studio flats) or bedroom, with windows open, of no more than 35 dB LAeq,16hr (between 0700 and 2300 - day) and no more than 30dB LAeq,8hr (between 2300 and 0700 - night).
 - (b) a maximum noise level within any (unoccupied) domestic bedroom (or studio flats), with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700; and
 - (c) road traffic noise level in any external amenity areas of no more than 50dB LAeq,16hr. Where this standard cannot be achieved despite all potential mitigation being carried out, a level of no more than 55dB LAeq,16hr will be acceptable for the whole or a proportion of the private amenity area, the details of which are to be agreed with the LPA.
3. Where the standards in (a) and/or (b) in paragraph (2) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which natural and if proved necessary mechanical ventilation will be provided in conjunction with steps to reduce thermal gain by design, to adequately deal with summer overheating.
4. No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.
5. The approved scheme must be implemented in full and maintained for the lifetime of the building. Any amendments to the scheme or alterations to the windows or ventilation must be agreed with the Local Planning Authority in advance on an application on that behalf.

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

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

REASON: In the interests of residential amenity by ensuring an acceptable noise level for future occupants in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015 - 2030.
8. The playing field and pitch on site shall be constructed and laid out in accordance with drawing no. 004 Rev P05 and with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use along with the sports pavilion before first occupation of any residential property hereby permitted.

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

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

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

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

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

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

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

12. Before the buildings hereby permitted are occupied the waste and recycling bin buildings for the blocks of flats shall be provided as part of the development in accordance with the approved plans. The waste and recycling bin buildings shall thereafter be retained solely for this purpose.

REASON: To safeguard the appearance of the property and the amenities of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

13. No photovoltaic or solar thermal schemes shall be implemented until details of them have been submitted to and been approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented only in accordance with the approved details.

REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

14. The development hereby permitted shall not commence until details of the proposed surface water drainage and means of disposal including hydraulic modelling and storage calculations have been submitted to and approved by the Local Planning Authority and no building shall be occupied until all drainage works have been carried out in accordance with the details as approved by the Local Planning Authority.

REASON: To ensure that the proposed development is satisfactorily drained in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.

15. The windows on or above the first floor of: the southern facing elevation of apartment block A, the north facing elevation of house 03, the north facing elevation of house 11, the west facing elevation of house 06, the east facing elevation of house 07, the west facing elevation of house 33. the east facing elevation of house 34 and the east facing elevation of house 40 shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening to a height of at least 1.7m above finished floor level.

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

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16. Provision shall be made for combined aerial facilities to serve all flat/maisonette development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
17. No development shall take place above ground floor level until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme including the planting of at least 88 trees. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the amenity and of the environment of the development in accordance with Policy CH3 and CH7 of the Crawley Borough Local Plan 2015 - 2030.
18. No development above ground level shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of, and schedule for the implementations of hard landscaping for the site to include but not be restricted to street furniture, boundary treatments, bollards, hard surfacing materials, visitor cycle facilities, a path to Punnetts Court and access to Douster Cresecent. The development shall thereafter be implemented in accordance with the approved scheme and schedule.
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
19. The existing trees/bushes/hedges shall be retained/protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period, shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.
REASON: To ensure the retention of vegetation important to the visual amenity, /the ecological quality and for the environment of the development in accordance with Policy CH7 of the Crawley Borough Local Plan 2015 - 2030.
20. No dwelling shall be occupied until Electric Vehicle Charging spaces have been provided for that dwelling in accordance with plans and details submitted to and approved by the Local Planning Authority.
REASON: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and paragraph 105 of the NPPF 2019.
21. No dwelling shall be occupied until screen walls and/or fences have been erected around that respective dwelling in accordance with details that have been submitted to and approved by the Local Planning Authority.
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
22. The no building shall be occupied/until the roads serving the development hereby permitted has/have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.
REASON: To secure satisfactory standards of access for the proposed development in accordance with Policy CH3 and ENV8 of the Crawley Borough Local Plan 2015-2030.
23. No dwelling shall be occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

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REASON: To provide car-parking space for the development in accordance with policy CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.

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

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

REASON: In the interests of highway safety and the amenities of the area in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

25. No development shall take place until a scheme, in the form of a site, specific dust management plan, to control the emission of dust from the construction works at the site has been submitted to and approved in writing by the Planning Authority. The approved scheme shall have reference to the IAQM's Construction Dust Guidance (Guidance on the assessment of dust from demolition and construction (2014) and Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites (2018) and be fully implemented throughout the duration of construction works until completion of the development.

REASON: To ensure the impact on air quality during construction does not affect neighbouring occupiers in accordance with policy ENV12 of the Crawley Borough Local Plan 2015-2030.

26. Prior to the commencement of the development details showing the proposed location and schedule for implementation of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. The fire hydrants shall be installed prior to the occupation of any dwelling in accordance with the approved details.

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

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

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

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

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

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

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

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30. No development shall commence until the following details and schedules for their implementation have been submitted to, and approved in writing by, the Local Planning Authority:
- Construction Environmental Management Plan setting out measures to avoid / mitigate impacts on biodiversity (including prevention of any pollutants such as dust impacting Douster Brook); and
 - details of biodiversity enhancements demonstrating a net improvement over existing conditions, including compensation for the loss of the existing hedge. Enhancements should include the positions and specifications of bat and bird boxes and naturalistic planting with native species of local origin and provenance and may be incorporated into an integrated landscape and habitat creation and management plan; and
 - a wildlife sensitive lighting plan with modelled lux levels demonstrating how light pollution of boundary habitats along the southern and western edges of the site will be avoided.

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

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

31. Provision shall be made for combined television reception facilities and superfast broadband to serve all units within the residential development hereby approved in outline only in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved facilities shall be made available to each individual unit prior to that unit being first brought into use.
- REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVES

- 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.
- The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.
- Sections 7.1 and 7.8 of the Agronomic Assessment report provide advice concerning the current condition and extent of the drainage and recommendations for improvement. Sport England recommend that the improvement / management scheme is undertaken by a specialist turf consultant.
- A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge without made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures it will undertake to minimise groundwater discharges into the public sewer. permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on-line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

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:

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

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

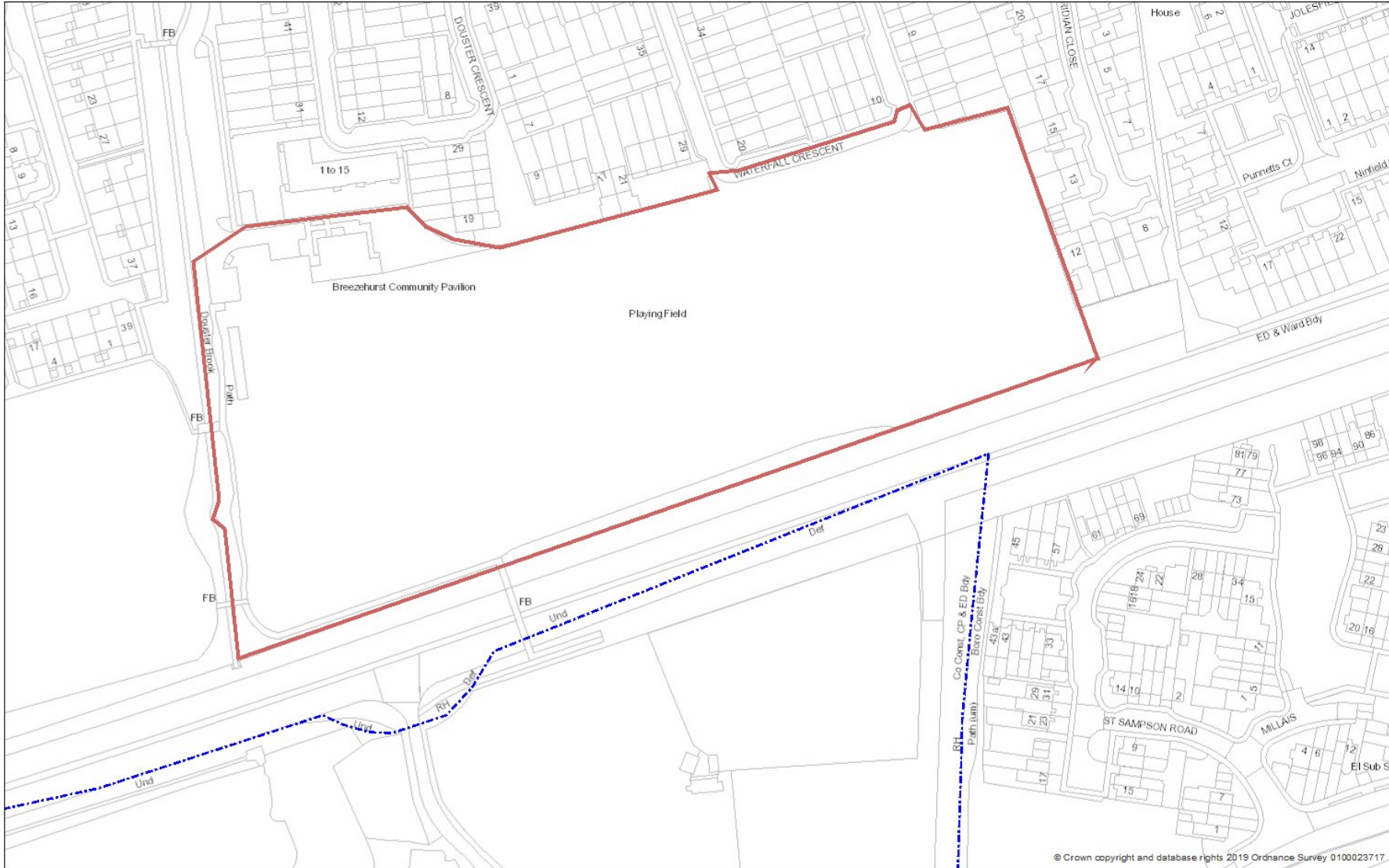


ArcGIS Web Map



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

REFERENCE NO: CR/2020/0192/RG3

LOCATION: [BREEZEHURST PLAYING FIELDS, OFF BREEZEHURST DRIVE, BEWBUSH, CRAWLEY](#)

WARD: Bewbush & North Broadfield

PROPOSAL: ERECTION OF 85 AFFORDABLE HOUSES & FLATS, COMPRISING:
 18 X ONE BEDROOM FLATS
 38 X TWO BEDROOM FLATS
 9 X TWO BEDROOM HOUSES
 17 X THREE BEDROOM HOUSES
 3 X FOUR BEROOM HOUSES
 ACCESS ROADS, CAR PARKING, SPORTS PITCH, OPEN SPACE & ASSOCIATED WORKS
 (AMENDED PLANS AND DESCRIPTION)

TARGET DECISION DATE: 22 July 2020

CASE OFFICER: Mr M. Robinson

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

PLANS & DRAWINGS CONSIDERED:

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

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| | | |
|----------------------------|-----|---|
| BDP-BPC-XX-XX-DR-A 016 | P03 | House Type 4A Floor Plans & Elevations (4B-6P-S) |
| BDP-BPC-XX-XX-DR-A 017 | P03 | House Type 4B Floor Plans & Elevations (4B-6P-R) |
| BDP-BPC-XX-XX-DR-A 018 | P03 | Apartment Block A - Ground & First Floor Plans (4x1B-2P & 4x2B-4P) |
| BDP-BPC-XX-XX-DR-A 019 | P03 | Apartment Block A - Second Floor & Roof Plans (2x1B-2P & 2x2B-4P) |
| BDP-BPC-XX-XX-DR-A 020 | P05 | Apartment Block A - East & West Elevations |
| BDP-BPC-XX-XX-DR-A 021 | P05 | Apartment Block A - North & South Elevations |
| BDP-BPC-XX-XX-DR-A 022 | P05 | Apartment Blocks B, C, D & E - Ground & First Floor Plans (2x1B2P & 4x2B4P) |
| BDP-BPC-XX-XX-DR-A 023 | P05 | Apartment Blocks B, C, D & E - Second Floor & Roof Plans (1x1B2P & 2x2B4P) |
| BDP-BPC-XX-XX-DR-A 024 | P04 | Apartment Blocks B, C, D & E - North & South Elevations |
| BDP-BPC-XX-XX-DR-A 025 | P04 | Apartment Blocks B, C, D & E - East & West Elevations |
| BDP-BPC-XX-XX-DR-A 026 | P07 | Maisonette Type A1 Floor Plans (4x2B-4P) |
| BDP-BPC-XX-XX-DR-A 027 | P07 | Maisonette Type A1 Elevations (4x2B-4P) |
| BDP-BPC-XX-XX-DR-A 028 | P03 | Street A - Elevations |
| BDP-BPC-XX-00-DR-A 029 | P03 | Street B - Elevations |
| BDP-BPC-XX-00-DR-A 030 | P03 | Street C - Elevations |
| BDP-BPC-XX-00-DR-A 031 | P03 | Street D (North) - Elevations |
| BDP-BPC-XX-00-DR-A 032 | P03 | Street D (South) - Elevations |
| BDP-BPC-XX-XX-DR-A 033 | P04 | Maisonette Type A2 Floor Plans (4x2B-4P) |
| BDP-BPC-XX-XX-DR-A 034 | P04 | Maisonette Type A2 Elevations (4x2B-4P) |
| 1000005241-2-011 | E | Proposed Parking Layout |
| 1000005241-2-010 | C | General Arrangement Plan |
| 1000005241-2-060 | C | Hard Landscaping Plan |
| 1000005241-2-300 | C | Soft Landscaping Plan |
| BDC BPC XX XX DR A 052 | P01 | Apartment Block A North & South Sectional Elevations |
| BDC BPC XX XX DR A 051 | P02 | Apartment Blocks D, C, D & E East & West Sectional Elevations |
| BDC BPC XX XX DR A 046 | P03 | House Types-NS-Plots 15, 16 & 17 Sheet 1 |
| BDC BPC XX XX DR A 047 | P02 | House Types-NS-Plots 15, 16 & 17 Sheet 2 |
| BDC BPC XX XX DR A 050 | P02 | House types-NS-Plots 40 & 41 |
| BDP BPC XX XX DR A 011 | P01 | Bin Store 02 Units 50-58 & 68-78 Plan, Section & Elevations |
| BDC PBC XX XX DR A 048 | P03 | House types-NS-Plots 13 & 14-18 & 19 |
| BDC BPC XX XX DR A 049 Rev | P02 | House types-NS-Plots 38 & 39.049.P01.pdf |

CONSULTEE NOTIFICATIONS & RESPONSES:-

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

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

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

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

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

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

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

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

The travel plan is acceptable.

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

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

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

28. The Woodland Trust

No comment received.

NEIGHBOUR NOTIFICATIONS:-

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

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

RESPONSES RECEIVED:-

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

Highway:

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

Open space

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

Visual Impact

- Adverse impact on tree lined access to Crawley.

Neighbour Impacts

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

Crime

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

Health

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

Housing Need

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

Drainage and Flooding

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

Green Issues

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

General

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

Non-Planning Issues

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

There were also the following comments:

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

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

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

REASON FOR REPORTING TO COMMITTEE:-

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

1. THE APPLICATION SITE:-

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

Bewbush to Buchan Park (in Horsham District) to the south of the A2220 Horsham Road via a footbridge over the dual carriageway. Whilst this is not a public right of way it is owned by Crawley Borough Council and is an important and well used route.

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

2. THE PROPOSED DEVELOPMENT:-

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

and 3 x four bedroom houses. Each house would be provided with a rear garden and off road parking. Each house would be provided with access to the rear garden and an outbuilding for cycle storage.

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

3. PLANNING HISTORY:-

3.1 PLAYING FIELDS BREEZEHURST DRIVE, BEWBUSH, CRAWLEY

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

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

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

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

4. PLANNING POLICY:-

National Planning Policy Framework (2019)

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

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

It also seeks to protect and enhance public rights of way

- Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development, including potential impacts on the existing transport network, opportunities for sustainable modes of transport and the need to focus development in sustainable locations.

Paragraph 110 states that development should give priority first to pedestrian, cycle and public transport movements, address the need of people with disabilities in relation to all transport, create safe, secure and attractive places avoiding conflict between different transport users, allow for efficient delivery of goods, and access by service and emergency vehicles and be designed to enable charging of plug-in vehicles.

- Section 10 – ‘Supporting high quality communications’ stresses the need for development to incorporate advanced, high quality and reliable communications infrastructure, including full fibre broadband.
- Section 11 – ‘Making effective use of land’ states that *‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.’* The redevelopment of underutilised land and buildings is encouraged. Paragraphs 122 and 123 seek to ensure efficient use though achieving appropriate densities on each site.
- Section 12 - ‘Well designed places’ states that the *“creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”* Paragraph 127 states:

“Planning policies and decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

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

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

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

- 1.2 The following policies from the Crawley Borough Local Plan (adopted December 2015) are most relevant to the proposal:
- SD1 (Presumption in favour of Sustainable Development) in line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
 - CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.
 - CH2 (Principles of Good Urban Design) states that in order to assist in the creation, retention or enhancement of successful places. In particular, development proposals will be required to:
 - “(a) respond to and reinforce locally distinctive patterns of development and landscape character and to protect and/or enhance heritage assets,*
 - (b) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas,*
 - (c) create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society including disabled and elderly people,*
 - (d) make places that connect with each other and are easy to move through,*
 - (e) provide recognisable routes, intersections and landmarks to help people find their way around,*
 - (f) consider flexible development forms that can respond to changing social, technological and economic conditions,*
 - (g) provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs”.*
 - CH3 (Normal Requirements of All New Development) states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.
 - CH4 (Comprehensive Development and Efficient Use of Land) states that development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.
 - CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents. New dwellings should, as a minimum, meet the nationally described space standards in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings. Residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements.
 - CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
 - CH7 (Structural Landscaping) requires areas identified as Structural Landscaping to be protected and enhanced where appropriate.
 - CH8 (Important views) requires that the important views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. A very small corner of the south east corner of site is within the Long Distance View Splay from Buckswood Drive.
 - CH9 (Development Outside the Built Up Area) seeks to ensure that Crawley’s compact nature and attractive setting is maintained by: grouping development with existing buildings, being located to avoid the loss of important on and off site views, reflecting local character, minimising the impact from lighting, ensuring development is not visually prominent in the landscape, ensuring development does not generate unacceptable noise / disturbance or inappropriate levels of traffic on rural roads and does not introduce a use incompatible with the countryside. It specifically states for the South of Broadfield and Buchan Hill Forest Fringe Landscape Character Area that the area is valued for its quiet recreational opportunities and *“The green fingers and local nature reserve will be conserved as they provide existing green infrastructure links with potential for improvement to accessing the countryside and wildlife corridors”.* Proposals should also not conflict with the High Weald AONB Management Plan

- CH10 (High Weald Area of Outstanding Natural Beauty). The Council will conserve and enhance the natural beauty and setting of the High Weald AONB having regard to its Management Plan.
- CH11 (Rights of Way and Access to the Countryside). Public rights of way should be conserved and development should not detract from their character.
- H1 (Housing Provision). The Council will positively consider proposals for the provision of housing to meet local housing needs, ensuring that town-cramming or an unacceptable impact on the planned character or neighbourhoods or residential amenity do not result.
- H2 (Key Housing Sites) this policy demonstrates how the Local Plan makes provision for the delivery of a minimum of 5100 net additional dwellings in the borough between 2015 and 2030. It encourages residential uses in the town centre, identifying the application site as a broad location for housing. This site is identified as a deliverable site for housing (65 dwellings) and recreation, including the retention of good quality pitch provision to the south of the pavilion, new/retained changing facilities primarily for Skelmersdale Walk Playing fields and off-site allotment provision, with specific requirements set out in full in a Development Brief.
- H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme. However, consideration should be given to the evidence established in the Strategic Housing Market Assessment and its updates for market housing needs and demand in Crawley.
- H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first time buyers.
- ENV1 (Green Infrastructure) seeks to protect and enhance Crawley's multi-functional green infrastructure network
- ENV2 (Biodiversity) states that all development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- ENV4 (Open Space, Sport and Recreation) states:
 - *"Proposals that remove or affect the continued use of existing open space, sport and recreational spaces will not be permitted unless:*
 - a) An assessment of the needs for the open space, sport or recreation clearly show the site to be surplus to requirement: or*
 - b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss".*

Whilst a site may be surplus to requirements as open space it may still be of environmental or cultural value; or the site's development may have unacceptable visual or amenity impact, or adversely affect its wider green infrastructure functions, including for climate change mitigation, therefore, applicants should also carefully consider the character and other environmental policies in the plan."
- ENV5 (Provision of Open Space and Recreational Facilities) states that the impact of the increased population from residential development on open space and recreational facilities across the Borough will be mitigated by the use of the Community Infrastructure Levy which will be used to enhance existing areas of open space. This Policy requires development to make provision for open space and recreational facilities.
- ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to meet the strengthened on-site energy performance of Building Regulations.
- ENV7 (District Energy Networks) requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.

- ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- ENV10 (Pollution Management and Land Contamination) states where a site is known or suspected to be at risk from contaminants or materials that present a hazard to health, information must be provided detailing the methodology through which risks will be addressed, and ensuring the treatment and/or removal of all such contaminants and materials prior to the commencement of development.
- ENV11 (Development and Noise) advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex which provides detailed and specific guidance as to how Policy ENV11 will be applied.
- ENV12 (Air Quality) states that development proposals that do not have a material negative impact upon air quality will normally be permitted. The policy seeks assessment of the air quality implications of appropriate schemes and, for proposals within an Air Quality Management Area, demonstration of mitigation measures.
- IN1 (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed and connected to high quality communications infrastructure.
- IN3 (Development and Requirements for Sustainable Transport) advises that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network. Developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety.
- IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle standards.

Draft Crawley Borough Local Plan 2021-2037

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

- SD1: Presumption in Favour of Sustainable Development
- SD2: Enabling Healthy Lifestyles and Wellbeing
- CL1: Neighbourhood Principle
- CL2: Making Successful Places: Principles of Good Urban Design
- CL3: Movement Patterns, Layout and Sustainable Urban Design
- CL4: Compact Development – Layout, Scale and Appearance
- CL5: Development Briefs and Masterplanning
- CL6: Structural Landscaping
- CL7: Important and Valued Views
- CL8: Development Outside the Built Up Area – specifically South of Broadfield into Buchan Hill Forest and Fringes
- CL9: High Weald Area of Outstanding Natural Beauty
- DD1: Normal Requirements of All New Development
- DD2: Inclusive Design
- DD3: Standards for All New Dwellings (including conversions)

- DD4: Tree Replacement Standards
- OS1: Open Space, Sport and Recreation
- OS2: Provision of Open Space and Recreational Facilities
- OS3: Rights of Way and Access to the Countryside
- IN1: Infrastructure Provision
- IN2: The Location and Provision of New Infrastructure
- IN3: Supporting High Quality Communications
- H1: Housing Provision
- H2: Key Housing Sites
- H3: Housing Typologies
- H3f: Open Spaces
- H4: Future Housing Mix
- H5: Affordable Housing
- GI1: Green Infrastructure
- GI2: Biodiversity Sites
- GI3: Biodiversity and Net Gain
- SDC1: Sustainable Design and Construction
- SDC2: District Energy Networks
- SDC3: Tackling Water Stress
- EP1: Development and Flood Risk
- EP4: Development and Noise
- EP5: Air Quality
- EP6: External Lighting
- ST1: Development and Requirements for Sustainable Transport
- ST2: Car and Cycle Parking Standards

Breezehurst Drive Playing Fields Development Brief (adopted June 2018)

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

- Residential Development
- Open Space Provision
- Green Infrastructure

It also includes guidance on:

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

Supplementary Planning Guidance and Documents

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

Planning and Climate Change (adopted October 2016) – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District

Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.

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

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

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

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

Community Infrastructure Levy

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

5. PLANNING CONSIDERATIONS:-

- 1.7 The main considerations relating to this application are:

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

Principle of the development including the loss of playing fields

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

Walk) to mitigate the impact of the loss of the playing field. Sport England has agreed that the proposals to enhance the existing retained playing field and other off site works (including on going maintenance) are acceptable and it has now therefore withdrawn its initial objection to the application subject to appropriate conditions and a Legal Agreement being in place to ensure that the works proposed are undertaken. The applicant has also confirmed that provision will be made to improve the provision of allotments off site. This would also be subject to control through the provisions of a Legal Agreement.

- 5.4 The development proposed would provide 85 affordable housing units, 20 more than identified in the Local Plan. The increased number of dwellings is a consequence of the 4 blocks of flats proposed close to the southern boundary designed to provide an essential level of acoustic screening that would enable the remainder of the site to be developed. The consideration of this issue will be set out in detail in the section titled "*The acceptability of the accommodation for future occupiers including noise*" below. The report will also demonstrate that the dwellings proposed can be policy compliant with regards other material considerations, and it is considered that the increase in the number dwellings on the site above the figure in the Local Plan is acceptable in principle.
- 5.5 It is therefore considered that as the development would comply with the requirements set out in the Breezehurst Development Brief and policy H2 of the Local Plan, then the loss of the playing field and the erection of the number of dwellings proposed is acceptable in principle.

Affordable Housing and Housing Mix

- 5.6 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need. Payment in lieu will only be accepted in exceptional circumstances.
- 5.7 In this case the applicant is Crawley Borough Council and this development is proposing a 100% affordable scheme, i.e. 85 affordable units. It thus exceeds the affordable housing requirements.
- 5.8 Policy H3 requires housing developments to provide a mix of dwelling types and sizes to address local housing needs and market demands. The scheme would provide 18 x one bed 2 person flats (21%), 47 x two bed flats/houses (55%), 17 x three bed houses (20%) and 3 x four bedroom houses (4%). The proposed mix of dwelling types including some larger houses is considered acceptable on this site and would comply with the mix of housing sought by policy H3.
- 5.9 The Housing Enabling and Development Officer states that:
"The Council's Strategic Housing Services is in full support of this proposal to develop this allocated site for affordable housing, addressing a priority need in the borough, and far exceeding Council's policy requirements.
- Throughout the design process the applicant has consulted with Strategic Housing Services at every stage to ensure that the mix of house types directly addresses local housing needs, with a strong emphasis on family accommodation well suited to this neighbourhood setting.*
- While affordable rent tenure remains the Council's priority tenure, there will be further consideration for introducing an element of shared-ownership into the scheme, in consultation with Strategic Housing Services, aimed at addressing this form of affordable tenure, which also has an evidenced need."*
- 5.10 With 100% of the housing being affordable and an acceptable housing mix for this development it is therefore in compliance with policies H3 and H4 of the Crawley Borough Local Plan.

The impact upon nearby occupiers' amenities

- 5.11 The use of the site for residential along with the retention of the playing field is considered acceptable in this residential area in terms of the noise/disturbance and the development would not result in significant air or water/ground pollution. The primary considerations in regard to the impact on neighbouring/nearby occupiers is the visual impact of the dwellings in terms of massing, light, outlook and privacy.
- 5.12 As this is a relatively large site, the report will start with a consideration of the impact upon the houses in Meridian Close to the east of the site and then moving around to Waterfall Crescent to the north and finishing with the impact upon Douster Crescent. As the site is separated from closest boundaries of houses in Broadfield by the busy Horsham Road dual carriageway, it is not considered that there would be an adverse impact upon the occupiers of these houses to the south.

Meridian Close

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

Waterfall Crescent

- 5.17 In the north east corner of the site, two storey semi-detached house plot 01 would project 2m forwards of no 19 Waterfall Crescent and there would be approximately 5.5m separation between the facing side elevations of these houses. Both 19 Waterfall Crescent and proposed house plot 01 would have east/west orientations. The side elevation of plot 01 would therefore face the side elevation of 19 Waterfall Crescent, however, the development would not result in windows serving habitable rooms facing each other. The relationship between the two houses is fairly typical and notwithstanding the 2m forward projection of house plot 01, the separation distance between them would prevent harm to the amenities of the occupiers of the existing house. House plot 09, would be 17m to the south-west of no.19 Waterfall Crescent and at an angle. There would be also be an intervening road and the front elevation of no.19 Waterfall Crescent is already in the public domain. The impact from house plot 09 on the occupiers of this dwelling would also be acceptable.
- 5.18 House plot 09 would have its side elevation facing no.10 and no.12 Waterfall Crescent that would be 19.5m to the north across the existing intervening highway. There would not be any facing habitable windows in plot 09. The level of separation would comply with the recommended 10.5m distance to a side gable, and the impact on the amenities of these neighbouring occupiers would therefore be acceptable.
- 5.19 A three storey block of flats (Block A) comprising flats plots 20 – 31 would be situated 15m from the south facing side elevation of no. 20 Waterfall Crescent, with the highway in between. The building would not intersect a 60 degree line drawn from either the closest front/west or rear/east facing elevations that contain the primary habitable room windows. In terms of massing/dominance/light, the impact from these flats on no.20 Waterfall Crescent would comply with the guidance in the Urban Design SPD. There would be north facing bedroom windows in the flats on all three floors and the upper floor windows would have a view overlooking the rear garden of no. 20 Waterfall Crescent at a 90 degree angle, with no views into rear facing windows. It is considered that with the orientation of the respective buildings, the 15m separation distance and with an intervening road, there would not be a harmful loss of privacy to the occupier's amenities.
- 5.20 House plot 39 would be over 25m at an angle from the front elevation of no.20 Waterfall Crescent with an intervening road, this level of separation is considered adequate and complies with the Urban Design SPD.
- 5.21 In regard to the impact on no 18 Waterfall Crescent to the north east of the flats (Block A), as there would be a separation distance of approximately 23m, at an angle, between the closest corner of the flats, and the intervening road, with windows being further away and not having a direct views, it is considered there would not be harm to the amenities of the occupiers of this house.
- 5.22 With regards to the impact upon 23-29 Waterfall Crescent to the north of the two storey house plot 39, there would be a separation of at least 20m with intervening parking, access area and footpath. The front of these houses would face the side elevation of plot 39 which has no facing primary habitable room windows in its elevation. It is considered that the relationship complies with the 10.5m separation distance recommended between an elevation facing a two storey side elevation, and the impact upon the amenities of the occupiers of these houses would therefore be considered to be acceptable.
- 5.23 The impact upon 21 Waterfall Crescent will be considered along with 17 Douster Crescent below.

Douster Crescent

- 5.24 In respect of no.17 Douster Crescent and the adjoining no. 21 Waterfall Crescent, both are situated to the north of the site and have a north/south orientation. Unlike the houses to the immediate east and west, they are set back from the site boundary only by their front gardens which are approximately 7.5m long. To the south east, house plot 39 would be 20m away from the corner of the front elevation of no. 21 Waterfall Crescent at an angle, and with the intervening footpath and parking area to the front of 23-29 Waterfall Crescent, there would not be a harmful impact upon the amenities of occupiers of this dwelling. To the south, the two storey houses plots 40 and 41, would be approximately 28m away. This would comply with the 21m separation recommended between facing rear elevations (this is front to rear so the front elevation is already subject to public view), and it is considered the impact upon the amenities of these houses would therefore be acceptable. To the south west 25m away

would be the closest corner of the building comprising maisonettes plots 42-45. At this point it would be two storeys in height, rising to three storeys in its two central bays. It is considered that the separation distance, angle and intervening parking area, access and new footpath, would not result in this building causing harm to the amenities of these two houses.

- 5.25 Finally with regard to numbers 9-15 and 19 Douster Crescent. Only no.9 Douster Crescent would directly face the maisonettes plots 42-45. The outlook from the existing houses 9-15 would be across the parking and access area, and the new proposed east-west footpath. The existing neighbouring houses would be at least 21m from the two storey north elevation of these proposed maisonettes. This separation distance would comply with the guidance in the Urban Design SPD for two storey facing rear elevations, and would be significantly in excess of the 10.5m separation distance recommended between an existing elevation and a two storey side elevation. The impact upon this and the other houses facing towards the site to the north would therefore be considered to be acceptable.
- 5.26 As there would be no change to the site around the Breezehurst Community Pavilion, except for the provision of a footpath, it is not considered that there would be any material change to the relationship between the site and the Connemara House flats to the north.

Other matters

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

The acceptability of the accommodation for future occupiers including noise

Noise

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

Standard of accommodation

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

| Dwelling type | Floor-space provided | Nationally Prescribed Requirement | Amenity space provided | Urban Design SPI Amenity Spac Recommendation |
|-------------------------------|----------------------|-----------------------------------|--|--|
| 1 Bedroom 2 person flat | 50sqm | 50sqm | 6 x 4.8sqm 12 x 4.7sqm | 5sqm |
| 2 Bedroom 4 person flat | 70sqm | 70sqm | 24 x 4.2sqm 3 x 5.3sqm | 5sqm + 2sq for additional occupant =7sqm |
| 2 Bedroom 4 Person maisonette | 79sqm | 79sqm | 1 x 60sqm garden + 7.3sqm balcony 1 x 63sqm garden 4 x 70sqm gardens two also have 6.6sqm balconies. 1 x 76sqm garden + 7.3sqm balcony 1 x 76sqm garden. | 75sqm |
| 2 Bedroom 4 Person House | 79sqm | 79sqm | All (9) 75sqm or greater | 75sqm |
| 3 Bedroom 5 Person House | 93sqm | 93sqm | 2 x 81sqm 17 x 90sqm or greater | 90sqm |
| 4 Bedroom 5 Person House | 106sqm | 106sqm | All (3) over 90sqm | 90sqm |

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

Amenity Space

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

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

- 5.35 Of the 8 x two bedroom, four person maisonettes, four would be provided with the minimum 75sqm of amenity space, (including balconies), required by the Urban Design SPD. One would have approximately 63sqm of garden space, one 67sqm of amenity space including a balcony and remaining two 70sqm of garden space. Part of the overall shortfall for the maisonettes is due to designing these garden layouts so that they can be accessed directly from the residence without having to cross an intervening access to a neighbouring unit and this has resulted in a requirement for rear accesses into the middle gardens. However this design has resulted in more useable and safer amenity space provision at the expense of some garden space.
- 5.36 All of the house rear gardens would be at least 10.5m in length and except for two of the three bedroom houses (plots 011 and 012), would be provided with a rear garden that would comply with the standards set out in the Urban Design SPD. The two houses with the shortfall in rear gardens should have 90sqm of rear amenity space but would be provided with approximately 81sqm and would therefore be approximately 9sqm below the standard.
- 5.37 It is disappointing that not all of the dwellings hereby being provided would have outdoor amenity space that precisely complies with the standards set out in the Urban Design SPD however, overall the amenity space provision is considered to be well laid out and is designed to be useable by future occupants, and the relatively minor shortfalls (e.g. the balconies) are not considered to be significant given that the site would be immediately adjacent to a retained playing field and the is excellent access to other public open space such as Buchan Park (150m away to the south east across the pedestrian bridge) for future residents.

Relationships between buildings

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

- 5.43 Finally in regard to the relationship between the four blocks of flats (Blocks B,C,D and E) proposed within the southern section of the site and the houses and maisonettes to the north. The flats would be 3 storeys' in height with balconies on the north facing elevations. Due to the design of the flats, facing towards the north east and northwest to mitigate noise and provide natural light to rooms, most windows would have oblique views of the houses and maisonettes to the north. Balconies in flat plots 68-76 would be 14m from the 1st floor windows in house plot 18 to the north which is the closest relationship between these buildings. As this would be a front elevation to front elevation relationship with an intervening road and planted amenity space, there would be public views of the frontage of all the facing dwellings. It is not considered that this relationship would result in harmful overlooking.

Conclusion

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

Design and the impact of the development upon visual amenity

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

- 5.49 The elevations facing south, by the necessity to limit the number of openings to prevent noise in the flats, would not have the visual interest of the main north/east/west facing elevations. These elevations would however face only onto the busy A2220 and would be at least partially screened by the retained trees, and they are therefore considered acceptable given the noise constraints of the site.
- 5.50 The block comprising flats plots 20-31 (Block A) would be sited adjacent to Waterfall Crescent, with its main west facing façade incorporating similar design features and materials to the four blocks proposed to the south of the site. This would provide a feature on the corner of the development when viewed from Breezehurst Drive/Waterfall Crescent to the north and although larger than surrounding existing and proposed development it is considered to be of an overall acceptable scale and massing at this location. Views from the north and north-east would be acceptable due to the visual interest that would be created by the buildings “c” shaped layout, the incorporation of returns that would break up facades and alter roof forms, the pallet of materials proposed, and, fenestration patterns/panel features. It is considered that building would be acceptable in the street scene and in its wider context.
- 5.51 The remaining main view to consider is from the playing fields and open space to the west. These views would be towards the 2 to 3 storey maisonette buildings, the parking area to their front and a public path. To the front of the parking area and buildings in this location it is proposed to create a landscaped area around the north-south footpath. It is considered that this would prevent the area from being dominated by cars, and would help to integrate the development with the retained playing field open space.
- 5.52 The maisonettes would face to the west and their orientation towards the playing field is considered appropriate to utilise these views/outlook for residents whilst ensuring an active frontage/visual interest. The design of the maisonettes, with pitched roofs rising from 2 to 3 stories and staggered bays facing east and west, with either brick or timber cladding is considered to provide an acceptable appearance when viewed from the west.
- 5.53 The northern maisonette block has been revised during the course of the application to add fenestration and architectural features to its north and east facing elevations. It is now considered that these elevations would be of an acceptable design to ensure views of this building from the east, north and west would be acceptable.
- 5.54 The overall layout of the development has been revised during the course of the application to enable more trees/landscaping to be planted and to have space to mature. This includes for example, the narrowing the roads at some points and includes tree planting at the far eastern end of the east-west running that will help to screen the side gable of the house in Meridian Close and provide a feature at the end of the road.
- 5.55 It is therefore considered that the residential dwellings proposed would relate well to the existing Douster Crescent/Waterfall Crescent development to the north and the retained playing field/longer views from the west. Longer views from Breezehurst Drive to the north would also be acceptable. The site would include space for planting in the streets and due to the overall layout would not be dominated by the need for parking spaces. The proposal does not include development that would be sited to have a harmful impact upon the long distance view splay from Buckswood Drive to the north. It is therefore considered that subject to conditions to control the exact materials to be used and to ensure that the landscaping complements the development and complies with the requirements of the Breezehurst Drive Playing Fields Design Brief and the relevant policies of the Local Plan in this regard.

Highways, transport and the operational requirements of the site

Impact upon the operation of the highway network

- 5.56 The planning application was submitted with a Transport Assessment, a Road Safety Audit Stage 1 Report and Response, and Travel Plan and Parking Arrangements statement. There would be two points of vehicular access to the site from Waterfall Crescent to the north. The development includes road narrowing features and raised platforms as well as junctions to control vehicle speeds. The

proposed road and parking layout was revised during the course of the application, including narrowing the east-west road and altering the parking/access area at the western end of the site.

- 5.57 West Sussex County Council (Highway Authority) has no objection to the proposal on highways grounds, commenting that as most of the roads and footways will be adopted and detailed design issues can be addressed through the S38 Agreement. It has highlighted a number of features proposed including: road narrowing to reduce vehicle speeds, support for shared surfaces in cul-de-sacs, raising the height of road surfaces to match pedestrian pavements to provide space for pedestrians, laybys for visitor parking and that the site would have good pedestrian permeability.
- 5.58 There is adequate spare capacity in the existing area for the additional traffic movements including at the nearby roundabout and that there would be adequate space within the development for refuse and larger vehicles to access and turn within the site.
- 5.59 Subject to conditions it is considered that the development would meet the access needs it would generate and would not cause an unacceptable impact in terms of increased traffic congestion or highway safety. It would therefore accord with policies CH3 and IN3 of the Crawley Borough Local Plan in this regard.

Car parking

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

Cycling and cycle parking

- 5.64 The development has been designed with shared paths for cyclists and pedestrians, measures to reduce the speeds of vehicles on the highway and the use of shared surfaces on roads and parking areas. It is considered that these measures will ensure that the development is suitable for walking and cycling.
- 5.65 Each house and the maisonettes would be provided with rear access to the garden and space in an outbuilding that can accommodate the parking of at least 2 cycles. Each block of flats would also be provided with an integral cycle store that can accommodate the required number of cycles. Notwithstanding specific details have not been provided of on street/visitor cycle parking, there is space for this within the site in locations where there would be natural surveillance and the details

therefore can be subject to control by condition. WSCC has commented that: “162 cycle storage spaces are provided within the private curtilages of each property, with an additional 20 allocated around the site in publicly accessible areas. The promotion of sustainable travel is an important part of the NPPF and the provision of, EVC points, good quality cycle storage and cycle paths to link into is served well by this development”.

Other

- 5.66 The development would be provided with pedestrian and or cycle routes towards Skelmersdale Walk and direct access to the pedestrian bridge to Buchan Park. There would also be pedestrian access to Douster Crescent. There also is space to ensure that there would still be access at the east end of the site from Punnetts Court although it is considered that this should be restricted from going through the parking area for the block of four flats to reduce opportunities for crime/unsociable behaviour. The site would be considered to have good permeability for non-vehicular traffic.
- 5.67 Policy CH3 also requires development to ensure it includes safe and proper provision for the storage and collection of waste and recycling. Each house and maisonette would be provided with rear amenity space and access to it that would not be required to go through the house. Provision is therefore provided for the houses to be able to locate their waste and recycling bins clear of the highways in an acceptable location.
- 5.68 The blocks of flats would be provided with shared bin storage facilities. Initial concern that these may not be able to be accessed by the waste collection services, have resulted in revised bin storage buildings that have addressed this issue. There will still be a requirement for access paths and dropped kerbs to be provided to these bin storage areas, and this detail has not yet been provided. However, as the design and location of this provision would be acceptable, these details can be subject to detailed control though conditions applying to hard landscaping for the development.
- 5.69 It is considered that the development would therefore have an acceptable impact upon highway capacity and would not be detrimental to highway safety. The operational requirements of the site can be met. The development would therefore comply with the Breezehurst Playing Fields Design Brief and policies CH3, IN3 and IN4 of the Local Plan in this regard

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

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

Sports and open space provision

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

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

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

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

£13,189.50 towards amenity green space.

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

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

Sustainability

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

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

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

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

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

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

- 5.77 It is accepted therefore that the development can comply with the requirements of policies ENV6 and ENV7, however it has been identified that the proposals could change, and it is therefore recommended that the condition to control these matters is worded to require the developer to agree and implement the sustainability features prior to the occupation of the dwellings. Little detail has been provided relating to water efficiency, and this to it is therefore recommended will need to be subject to control through the use of a condition.

Drainage and flood risk

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

Ecology and trees

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

Crime and anti-social behaviour

- 5.82 Policy CH3 includes a requirement for development to demonstrate that it is “Secure by Design” by including measures to reduce crime, the fear of crime anti-social behaviour and disorder. Sussex Police has raised a concern with particular regard to the parking areas between the 4 blocks of flats (Blocks B,C,D and E) close to the southern boundary and the A2220 Horsham Road. The design of these flats would result in limited natural surveillance of this area, as the need to ensure the noise from the road is mitigated has prevented the insertion of habitable windows in the elevations facing south. There would also be limited surveillance of these parking areas from the street to the north from between the flats due to the substantial acoustic walls. Sussex Police are therefore concerned that these parking areas would not be “Secure by design” and could result in opportunities for crime/antisocial behaviour. It has however been agreed that with appropriate lighting, low level planting and the installation and operation of CCTV, their concerns would be mitigated.
- 5.83 The path along the north boundary of the site has been revised during the course of the application and windows added to the northern most maisonette to provide increased natural surveillance for this area. It would also be overlooked by the houses and from the parking areas of the closest houses in Waterfall Crescent and Douster Crescent to the north. Planting and lighting for the development will be subject to conditions for the whole site to include other public areas/paths etc. but in order to ensure the concerns of Sussex Police are addressed and the security of future residents is provided, a separate condition to provide CCTV coverage to these areas is required. It is considered that there are not concerns regarding issues of crime/disorder for the rest of the development, and subject therefore to the controls set out above the development would comply with the requirements of policy CH3 in this regard.

6. CONCLUSIONS:-

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

national planning Policy Framework. It is therefore recommended that permission should be granted subject to the completion of a S106 agreement to provide off site sports provision improvements and open space, play space and allotment mitigation.

RECOMMENDATION RE: CR/2020/0192/RG3

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

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the dwellings relative to a fixed datum point shall be submitted to and approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No development shall be carried out above ground level unless and until a schedule and samples of materials and finishes to be used for external walls, roofs, windows, doors, cladding, panels, and balconies (including balustrade glazing), of the proposed buildings have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No apartment on the first or second floors of Apartment Block A (plots 20-31) shall be occupied until a balcony screen has been implemented in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority. The balcony screens shall thereafter be maintained in accordance with the approved details.
REASON: To ensure neighbour occupiers amenities are protected in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. Before the development hereby permitted is commenced, the final scheme shall have been submitted to and been approved in writing by the Local Planning Authority to protect the site and dwellings against the noise from the A2220. The scheme shall be in accordance with the design Option 01E set out in the Noise Report by MACH Acoustics named Breezehurst Drive II (Revision 03 dated 27/03/2020).
 1. For the purposes of this condition the scheme shall demonstrate that all reasonable mitigation measures have been employed to mitigate noise impacts to an acceptable level that is as low as is reasonably achievable. The mitigation shall include, but not exclusively, the following steps:
 - (a) Provide appropriate distances between noise sensitive developments and noise sources;
 - (b) Land zoning to separate noisy uses from noise sensitive uses, for example, avoiding the siting of children's playing areas next to accommodation for the elderly;
 - (c) Careful orientation of building layout, such as at right angles to the noise source;
 - (d) Internal layout of dwellings, through the location of non-habitable rooms such as bathrooms, kitchens and circulation areas located on the noisier façades and noise sensitive habitable rooms located on the less noisy facades ;
 - (e) Screening by non-noise sensitive structures or barrier blocks such as garages and walls;
 - (f) The introduction of acoustic screening such as bunding/embankments, fencing and walling;
 - (g) Protection of external residential amenity areas by positioning them towards the centre of the development sites.

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

(a) a noise level within any (unoccupied) domestic living room (including kitchen/diners and open plan studio flats) or bedroom, with windows open, of no more than 35 dB LAeq,16hr (between 0700 and 2300 - day) and no more than 30dB LAeq,8hr (between 2300 and 0700 - night);

(b) a maximum noise level within any (unoccupied) domestic bedroom (or studio flats), with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700; and

(c) road traffic noise level in any external amenity areas of no more than 50dB LAeq,16hr. Where this standard cannot be achieved despite all potential mitigation being carried out, a level of no more than 55dB LAeq, 16hr will be acceptable for the whole or a proportion of the private amenity area, the details of which are to be agreed with the LPA.

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

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

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

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

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

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

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

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

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

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

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

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

11. The residential units shall not be occupied until measures have been implemented in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority that the dwellings will achieve a water efficiency standard by consuming not more than 110 litres of water per person per day.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030
12. No dwelling shall be occupied until design-stage SAP calculation summaries for the development detailing a level of environmental performance consistent with the submitted Energy Statement, including a reduction of at least 19% in carbon dioxide emissions compared with the 2013 Building Regulations baseline requirements, have been submitted to and been approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.
REASON: In the interests of sustainable design and construction and in accordance with Policies ENV6 of the Crawley Borough Local Plan 2015-2030.
13. Before the buildings hereby permitted are occupied the waste and recycling bin buildings for the blocks of flats shall be provided as part of the development in accordance with the approved plans. The waste and recycling bin buildings shall thereafter be retained solely for this purpose.
REASON: To safeguard the appearance of the property and the amenities of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
14. No photovoltaic or solar thermal schemes shall be implemented until details of them have been submitted to and been approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented only in accordance with the approved details.
REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
15. The development hereby permitted shall not commence until details of the proposed surface water drainage and means of disposal including hydraulic modelling and storage calculations have been submitted to and approved by the Local Planning Authority and no building shall be occupied until all drainage works have been carried out in accordance with the details as approved by the Local Planning Authority.
REASON: To ensure that the proposed development is satisfactorily drained in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
16. The windows on or above the first floor of: the southern facing elevation of apartment block A, the north facing elevation of house 03, the north facing elevation of house 11, the west facing elevation of house 06, the east facing elevation of house 07, the west facing elevation of house 33. the east facing elevation of house 34 and the east facing elevation of house 40 shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening to a height of at least 1.7m above finished floor level..
REASON: To protect the amenities and privacy of the adjoining property, in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
17. Provision shall be made for combined aerial facilities to serve all flat/maisonette development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
18. No development shall take place above ground floor level until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme including the planting of at least 88 trees. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of the amenity and of the environment of the development in accordance with Policy CH3 and CH7 of the Crawley Borough Local Plan 2015 - 2030.

19. No development above ground level shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of, and schedule for the implementations of hard landscaping for the site to include but not be restricted to street furniture, boundary treatments, bollards, hard surfacing materials, visitor cycle facilities, a path to Punnetts Court and access to Douster Cresecent. The development shall thereafter be implemented in accordance with the approved scheme and schedule.

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

20. The existing trees/bushes/hedges shall be retained/protected in a manner to be agreed with the Local Planning Authority before the development commences for the duration of the development and shall not be damaged, destroyed, uprooted, felled, lopped or topped during that period without the previous written consent of the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period, shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

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

21. No dwelling shall be occupied until Electric Vehicle Charging spaces have been provided for that dwelling in accordance with plans and details submitted to and approved by the Local Planning Authority.

REASON: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and paragraph 105 of the NPPF 2019.

22. No dwelling shall be occupied until screen walls and/or fences have been erected around that respective dwelling in accordance with details that have been submitted to and approved by the Local Planning Authority.

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

23. The no building shall be occupied/until the roads serving the development hereby permitted has/have been constructed, surfaced and drained in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

REASON: To secure satisfactory standards of access for the proposed development in accordance with Policy CH3 and ENV8 of the Crawley Borough Local Plan 2015-2030.

24. No dwelling shall be occupied until the car parking serving the respective dwelling has been constructed in accordance with the approved site plan. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

REASON: To provide car-parking space for the development in accordance with policy CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.

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

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,

- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

REASON: In the interests of highway safety and the amenities of the area in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

26. No development shall take place until a scheme, in the form of a site specific dust management plan, to control the emission of dust from the construction works at the site has been submitted to and approved in writing by the Planning Authority. The approved scheme shall have reference to the IAQM's Construction Dust Guidance (Guidance on the assessment of dust from demolition and construction (2014) and Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites (2018) and be fully implemented throughout the duration of construction works until completion of the development.
REASON: To ensure the impact on air quality during construction does not affect neighbouring occupiers in accordance with policy ENV12 of the Crawley Borough Local Plan 2015-2030.
27. Prior to the commencement of the development details showing the proposed location and schedule for implementation of fire hydrants shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. The fire hydrants shall be installed prior to the occupation of any dwelling in accordance with the approved details.
REASON: In the interests of the safe and proper use of the site in accordance with Crawley Borough Local Plan (2015 – 2030) Policies IN1 and CH3 and The Fire & Rescue Service Act 2004.
28. No dwelling in apartment Blocks B, C, D and E shall be occupied until CCTV and lighting has been installed in the parking areas between these buildings and the A2220 to the south in accordance with details that have first been submitted to and been approved in writing. The details shall include information of how the CCTV will be operated and managed after installation. The CCTV and lighting shall thereafter be maintained and operated in accordance with the approved details.
REASON: To ensure the development is 'Secure by Design' in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
29. Upon the first occupation of any dwelling, the Applicant shall implement the measures incorporated within the approved travel plan. The Applicant shall thereafter monitor, report and subsequently revise the travel plan as specified within the approved document.
REASON: To encourage and promote sustainable transport in accordance with policy IN3 of the Crawley Borough Local Plan 2015-2030.
30. No dwelling shall be occupied until secure covered cycle parking is provided for it in accordance with details that have first been submitted to and been approved in writing by the Local planning Authority. The cycle parking shall thereafter be retained for this purpose.
REASON: To ensure the cycle parking requirements for the development are provided in accordance with policy IN4 of the Crawley Borough Local Plan 2015-2030.
31. No development shall commence until the following details and schedules for thier implementation have been submitted to, and approved in writing by, the Local Planning Authority:
- a. Construction Environmental Management Plan setting out measures to avoid / mitigate impacts on biodiversity (including prevention of any pollutants such as dust impacting Douster Brook); and
 - b. Details of biodiversity enhancements demonstrating a net improvement over existing conditions, including compensation for the loss of the existing hedge. Enhancements should include the positions and specifications of bat and bird boxes and naturalistic planting with native species of local origin and provenance and may be incorporated into an integrated landscape and habitat creation and management plan; and
 - c. A wildlife sensitive lighting plan with modelled lux levels demonstrating how light pollution of boundary habitats along the southern and western edges of the site will be avoided.

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

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

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

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

INFORMATIVES

1. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
2. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.
3. Sections 7.1 and 7.8 of the Agronomic Assessment report provide advice concerning the current condition and extent of the drainage and recommendations for improvement. Sport England recommend that the improvement / management scheme is undertaken by a specialist turf consultant.
4. The water efficiency standard required under condition 11 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge without made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures it will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.

1. NPPF Statement

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

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

Agenda Item 6 Appendix a

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

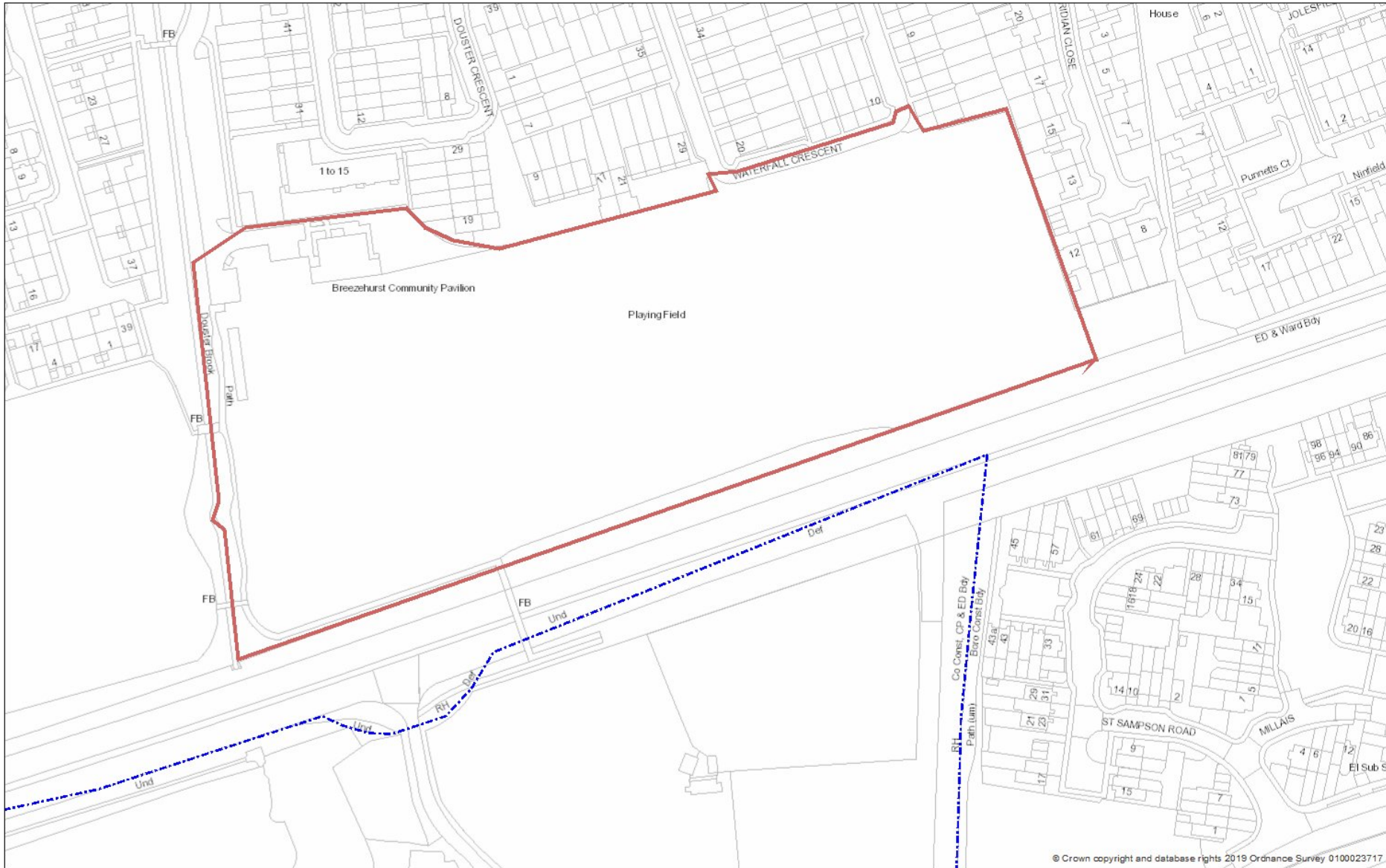


ArcGIS Web Map



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Crawley Borough Council

Minutes of Planning Committee - Monday, 8 February 2021

6. Planning Application CR/2020/0192/RG3 - Breezehurst Playing Fields, off Breezehurst Drive, Bewbush, Crawley

The Committee considered report [PES/359c](#) of the Head of Economy and Planning which proposed as follows:

Erection of 85 affordable houses & flats, comprising:

18 x one bedroom flats

38 x two bedroom flats

9 x two bedroom houses

17 x three bedroom houses

3 x four bedroom houses

Access roads, car parking, sports pitch, open space & associated works (amended plans and description).

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

The Principal Planning Officer (MR) provided a verbal summation of the application, which sought permission for a development of 85 units on part of the land at Breezehurst playing fields. The proposals included access via new roadways and a total of 140 parking spaces. Improvement works to the remaining section of the playing field and playing fields off-site were proposed to be secured via conditions and a Section 106 agreement.

The Officer updated the Committee that paragraph 2.3 of the report should make reference to the removal of five trees rather than three trees. It was also clarified that the wording of the recommendation was to become 'to permit subject to the completion of the S106 Agreement *and the following conditions*'. The Officer then provided the following updates regarding the plans and drawings to be considered:

- Drawings 16 (House Type 4A Floor Plans & Elevations) and 17 (House Type 4B Floor Plans & Elevations) had been superseded;
- Drawings 18 (Apartment Block A – Ground & First Floor Plans) and 19 (Apartment Block A – Second Floor & Roof Plans) were corrected to revision P04, rather than P03;
- Drawing 24 (Apartment Blocks B, C, D & E – North & South Elevations) was correct to revision P05, rather than P04;
- Drawings 28, 29, 30, 31, and 32 (Street A, B, C, and D Elevations) remained relevant but were not to be included on the decision notice.

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

Three statements from neighbours to the site – Hannah Wheeler, Myra Goodenough, and Nichola Godwin – raised the following matters:

- The green space had a community feel and was currently of benefit to many local residents who had concerns about the loss of the space and the future plans for the remaining section of the field.

- A lack of communication regarding the potential for development at the site.
- Concerns regarding the disruption, noise, and dust caused by building works, as well as the impact on traffic after completion of the development.

The Committee considered the application. Discussion ensued regarding the loss of a section of the playing fields and Committee members expressed sympathy for the neighbours affected by this. The Officer explained that Bewbush had a good provision of playing fields but that their quality and usability was poor. The works to the retained section of the playing fields would improve the quality of sports provision locally, and the Section 106 agreement would secure from the applicant ongoing financial contributions to the maintenance of the playing fields for 15 years. It was confirmed that the site was a key housing site as allocated by the Local Plan in 2015, which had undergone a consultation process in 2012. The Officer assured the Committee that permitting this application would not set a precedent for the construction of future developments on green spaces throughout Crawley as each site was considered on its own merits.

Regarding the timescale for the works to the retained playing fields, the Officer explained that this would be confirmed via a schedule of works as part of the Section 106 agreement and the conditions. It was estimated that the remaining section of the playing field would be upgraded after the erection of the dwellings as it would be used in part as a haul route to the site during construction to limit disturbances to neighbours by vehicle movements.

Other matters discussed were:

- The requirement for a Construction Management Plan and the need for dust suppression measures.
- Support for the provision of electric vehicle charging points – allocated to all houses and to at least 20% of communal parking spaces. The allocation of parking would be subject to control by the Council as the applicant.
- The withdrawal of Sports England's initial objection, which was due to the proposals to improve the retained on and off-site sports pitches and the methods of ensuring the implementation of this.
- The location of the windows in the four blocks of flats close to the A2220 (Horsham Road). To mitigate noise from the road, it was proposed to have single windows in the majority of rooms which faced north-east, north, or north-west. These would provide natural light and an outlook. The small number of south-facing openings were to areas such as hallways and were likely to be non-opening to prevent noise issues for future residents.
- The path and area to the north of the site (between the proposed development and existing houses in Douster Crescent and Waterfall Crescent) was to consist of borders of open railings and newly planted trees, and would not be an alleyway or other confined space.

Committee members commended the 100% provision of affordable housing. The Committee also expressed support for the proposed layout and access, including the traffic calming measures.

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

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

For the recommendation to permit:

Agenda Item 6 Appendix b

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

Against the recommendation to permit:
Councillor Ascough (1).

Abstentions:
None.

RESOLVED

Permit subject to the conclusion of a Section 106 agreement and the conditions set out in report PES/359c (as amended).

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Agenda Item 7

Crawley Borough Council

Report to Planning Committee

30 August 2022

Section 106 Monies – Q3 2020/21 to Q1 2022/23

Report of the Head of Economy and Planning – PES/401

1. Purpose

- 1.1. Section 106 of the Town and Country Planning Act 1990 provides that planning permissions may be granted subject to planning obligations, agreed for individual site permissions between the developer and the local planning authority, which are set out in a separate legal agreement, often referred to as a 'Section 106 Agreement'. Financial contributions arising from such agreements are paid by site developers to the local planning authority and must be spent as set out in the relevant Section 106 (S106) agreement and in accordance with legislation (see appendix A).
- 1.2. This report summarises all the S106 monies received, spent and committed to project schemes between quarter three of 2021/22 and quarter one of 2022/23.

2. Recommendations

- 2.1. That the Committee notes the update on S106 monies received, spent, and committed between Q3 2021/22 and Q1 2022/23.

3. Reason for Recommendations

- 3.1. The Council's Policy Statement of S106 Monies, collected through planning agreements, requests an update to be reported to the Planning Committee.

4. S106 Monies Received between 1 Oct 2021 and 30 June 2022.

- 4.1. Between Q3 2021/22 and Q1 2022/23 a total of £337,375.91 of monies were paid to the Council by developers in accordance with their obligations under the S106 agreements with the local planning authority. The following table provides a breakdown of the amounts received by category of spend and the developments from which these monies were received.

| S106 Spend Category | Ref | Address | Value |
|---------------------|------------------|--|-------------|
| Public Realm (MR) | CR/2019/0696/FUL | Land Jersey Farm, County Oak Lane, LG | £ 3,555.16 |
| Transport | CR/2019/0696/FUL | Land Jersey Farm, County Oak Lane, LG | £ 48,572.56 |
| Affordable Housing | CR/2018/0891/FUL | EDF Building, Russell Way, Three Bridges | £166,306.48 |
| Open Space | CR/2018/0891/FUL | EDF Building, Russell Way, Three Bridges | £ 7,270.24 |
| Tree Replacement | CR/2018/0891/FUL | EDF Building, Russell Way, Three Bridges | £ 16,121.21 |
| Open Space | CR/2018/0894/OUT | Steers Lane, Forge Wood | £ 21,864.74 |
| Transport | CR/2018/0894/OUT | Steers Lane, Forge Wood | £ 20,845.92 |
| Affordable Housing | CR/2018/0188/FUL | Belgrave House, Station Way, Northgate | £ 32,256.23 |
| Public Realm (MR) | CR/2021/0248/FUL | The Base, Fleming Way, Crawley | £ 850.00 |
| Transport | CR/2021/0248/FUL | The Base, Fleming Way, Crawley | £ 3,794.88 |
| Tree Replacement | CR/2021/0248/FUL | The Base, Fleming Way, Crawley | £ 15,938.49 |

£337,375.91

5. S106 Monies Spent Between 1 Oct 2021 and 30 June 2022

5.1. Between Q3 2021/22 and Q1 2022/23, a total of £213,205.11 of S106 monies was spent by the Council on infrastructure projects. The following table lists the projects on which the funds were spent.

| S106 Spend Category | Project Name | Lead Org | Project Spend | Status |
|---------------------|---|----------|---------------------|-----------|
| Public Realm (MR) | CGP* Manor Royal Junction Improvements | WSCC | -£ 3,555.16 | Ongoing |
| Transport | CGP* Manor Royal Junction Improvements | WSCC | -£ 59,962.56 | Ongoing |
| Transport | Car Club | CBC | -£ 17,664.00 | Completed |
| Open Space | Dormans Play Area | CBC | -£ 34,548.14 | Completed |
| Open Space | Rushetts Road Play Area | CBC | -£ 4,595.00 | Completed |
| Open Space | Ninefields Play Area | CBC | -£ 13,850.00 | Completed |
| Town Centre | CGP* Station Gateway | CBC | -£ 19,144.39 | Ongoing |
| Transport | CGP* Western Boulevard - Sustainable Transport Improvements | CBC | -£ 59,885.86 | Ongoing |
| | | | -£213,205.11 | |

6. S106 Monies Committed Between 1 Oct 2021 and 30 June 2022

6.1. A further £70,460.19 of S106 monies was committed to infrastructure projects between Q3 2021/22 and Q1 2022/23, through the Council's agreed approval process (see appendices B and C). The following table provides a breakdown of the individual project schemes to which the S106 funds were committed.

| S106 Spend Category | Lead Org | Project Name | Project Cost | Due to Complete | Status |
|---------------------|----------|---------------------------|--------------------|-----------------|---------|
| Open Space | CBC | Southgate Playing Fields | £ 50,460.19 | 2022/23 | Ongoing |
| Open Space | CBC | Perkstead Court Play Area | £ 20,000.00 | 2022/23 | Ongoing |
| | | | £ 70,460.19 | | |

6.2. The following table lists the projects which had S106 funds committed prior to 1 October 2021 and are still ongoing:

| S106 Spend Category | Project Name | Project Remaining Budget | Due to Complete | Lead Org |
|---------------------|---|--------------------------|-----------------|----------|
| Public Realm (MR) | CGP* Manor Royal Bus waiting area Superhubs | £146,945.21 | 2022/23 | CBC |
| Open Space | Curteys Walk Play Area | £ 2,954.57 | 2022/23 | CBC |
| Open Space | Newbury Close Play Area | £ 200.00 | 2022/23 | CBC |
| Open Space | Ifield Junior Play Area | £ 6,136.85 | 2024/25 | CBC |
| Open Space | Puffin Close, Play Area Ifield | £ 18,000.00 | 2022/23 | CBC |
| Town Centre | CGP* Station Gateway | £ 97,855.60 | 2024/25 | CBC |
| Town Centre | Mosaic Memorial Gardens | £ 11,555.32 | 2024/25 | CBC |
| Transport | CGP* Station Gateway | £ 109.51 | 2024/25 | CBC |
| Transport | Bus Shelters | £104,675.73 | 2024/25 | CBC |
| Transport | CGP* Manor Royal Bus Waiting Area Superhubs | £116,617.87 | 2024/25 | CBC |
| Transport | CGP* Manor Royal Walking & Cycling Improvement | £174,117.25 | 2024/25 | CBC |
| Transport | CGP* Town Centre Bus Waiting Area - Superhub | £ 64,793.34 | 2024/25 | CBC |
| Transport | CGP* Western Boulevard scheme | £ 50,298.11 | 2024/25 | CBC |
| Transport | CGP* Three Bridges Station (Specific Clause, Cycle parking racks) | £ 11,347.78 | 2024/25 | CBC |
| | | £805,607.14 | | |

7. Available Funds and Potential Future Spend

7.1. Officers at the Council have identified a programme of infrastructure projects to the value of £2,058,298.01, which are proposed to be delivered by 2024/25. The individual projects that make up this programme will be subject to the existing S106 approval process before any formal commitment is made. As of 30 June 2022, there remains £655,592.55 of other uncommitted S106 monies for which projects have yet to be identified. The table below lists the proposed infrastructure projects, which will be coming forward in due course for consideration through the S106 approval process.

| Contribution Type | Project Name | Funds Provisionally Allocated | Delivery by | Organisation Requesting Funding | Status |
|-------------------|--|-------------------------------|-------------|---------------------------------|---------------------|
| Transport | Bus Stop Contribution - Steers Lane | £ 20,845.92 | 2023/24 | CBC | Process to Commence |
| Transport | Car Club | £ 2,343.00 | TBC | CBC | Process to Commence |
| Transport | CGP* Three Bridges Station improvements | £ 60,000.00 | 2024/25 | CBC | Process to Commence |
| Transport | Ifield Avenue Roundabout improvements | £ 90,928.66 | TBC | WSCC | Process to Commence |
| Transport | CGP* Station Gateway | £ 98,109.18 | 2024/25 | CBC | Process to Commence |
| Public Realm (MR) | County Oak or Metcalf Way Pocket Parks | £ 1,400.00 | TBC | MRBID | Process to Commence |
| Public Realm (MR) | Gateway 2 / street furniture zone 3 M. Royal | £ 9,960.30 | TBC | MRBID | Process to Commence |
| Public Realm (MR) | Public realm improvements - Crawler's Brook | £ 22,846.00 | TBC | MRBID | Process to Commence |
| Library | Business info services at Crawley Library | £ 26,455.33 | TBC | CBC | Process to Commence |
| Open Space | Brideake Close Play Area | £ 17,000.00 | 2022/23 | CBC | Process to Commence |
| Open Space | Curteys Walk Play Area | £ 12,045.43 | 2022/23 | CBC | Process to Commence |
| Open Space | Meadowlands Play Area | £ 65,000.00 | 2022/23 | CBC | Process to Commence |
| Open Space | Wakehams Play Area | £ 55,000.00 | 2022/23 | CBC | Process to Commence |
| Open Space | Allotments | £ 26,072.25 | TBC | CBC | Process to Commence |
| Open Space | Halley Close Play Area | £ 15,000.00 | 2023/24 | CBC | Process to Commence |
| Open Space | Bowness Close Play Area | £ 18,000.00 | 2023/24 | CBC | Process to Commence |
| Open Space | Plantain Crescent Play Area | £ 15,000.00 | 2023/24 | CBC | Process to Commence |
| Open Space | Ifield Green Junior Play Area | £ 41,989.30 | 2023/24 | CBC | Process to Commence |

| | | | | | |
|--------------------|-------------------------------|---------------|---------|----------|---------------------|
| Open Space | Hammond Road Play Area | £ 15,322.62 | 2023/24 | CBC | Process to Commence |
| Open Space | Hanbury Road Play Area | £ 21,734.47 | 2024/25 | CBC | Process to Commence |
| Open Space | Woodcroft Road Play Area | £ 18,000.00 | 2024/25 | CBC | Process to Commence |
| Open Space | Three Bridges Youth provision | £ 3,737.19 | TBC | CBC | Process to Commence |
| Town Centre | Art within the Town Centre | £ 40,000.00 | 2024/25 | CBC | Process to Commence |
| Town Centre | CGP* Station Gateway | £ 12,232.88 | 2024/25 | CBC/WSCC | Process to Commence |
| CCTV | Mobile CCTV Dan | £ 4,965.96 | 2022/23 | CBC | Process to Commence |
| CCTV | Town Centre CCTV | £ 28,325.00 | 2025/26 | CBC | Process to Commence |
| Affordable Housing | Longley House | £1,265,984.52 | TBC | CBC | Process to Commence |
| Fire | Breathing Equipment | £ 50,000.00 | TBC | WSCC | Process to Commence |

£2,058,298.01

¹ CGP – [Crawley Growth Programme | Invest Crawley](#)

8. Summary of S106 Monies

8.1. The table below provides an overall overview of the S106 monies spent, received, and committed between Q3 2021/22 and Q1 2022/23 and shows the change in the balance of S106 at the end of Q1 of the financial year 2022/23 (far right-hand column) compared to the balance of S106 funds brought forward as of 1 October 2021 (2nd column from the left).

| S106 Categories of Spend | Balance Brought Forward 01.10.21 | Received between Q3 21/22 & Q1 22/23 | S106 Spend between Q3 21/22 & Q1 22/23 | Committed prior to Q3 21/22 Project Ongoing | Committed between Q3 21/22 & Q1 22/23 | Provisionally Allocated 30.06.22 | Uncommitted/ Not Provisionally Allocated 30.06.22 | Total Balance 30.06.22 |
|--------------------------|----------------------------------|--------------------------------------|--|---|---------------------------------------|----------------------------------|---|------------------------|
| Transport | £894,997.16 | £73,213.36 | -£137,512.42 | £521,959.59 | £0.00 | £272,226.76 | £36,511.75 | £830,698.10 |
| Public Realm (MR) | £181,151.57 | £4,405.16 | -£3,555.16 | £146,945.21 | £0.00 | £34,206.30 | £850.06 | £182,001.57 |
| Library | £43,970.28 | £0.00 | £0.00 | £0.00 | £0.00 | £26,455.33 | £17,514.95 | £43,970.28 |
| Open Space | £499,131.07 | £29,134.98 | -£52,993.14 | £27,291.42 | £70,460.19 | £323,901.26 | £53,620.04 | £475,272.91 |
| Town Centre | £180,788.24 | £0.00 | -£19,144.39 | £109,410.92 | £0.00 | £52,232.88 | £0.05 | £161,643.85 |
| Fire | £152,246.81 | £0.00 | £0.00 | £0.00 | £0.00 | £50,000.00 | £102,246.81 | £152,246.81 |
| Education | £182,798.46 | £0.00 | £0.00 | £0.00 | £0.00 | £0.00 | £182,798.46 | £182,798.46 |
| CCTV | £33,291.00 | £0.00 | £0.00 | £0.00 | £0.00 | £33,290.96 | £0.04 | £33,291.00 |
| Affordable Housing | £1,067,421.81 | £198,562.71 | £0.00 | £0.00 | £0.00 | £1,265,984.52 | £0.00 | £1,265,984.52 |
| Tree Contribution | £229,990.69 | £32,059.70 | £0.00 | £0.00 | £0.00 | £0.00 | £262,050.39 | £262,050.39 |
| Total | £3,465,787.09 | £337,375.91 | -£213,205.11 | £805,607.14 | £70,460.19 | £2,058,298.01 | £655,592.55 | £3,589,957.89 |

9. Background Information

9.1. The previous S106 Monies report to Planning Committee: [PES/389 S106 Monies Q4 to Q2 2020/21](#)

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Planning Obligations

(Excerpt from [Developer Contributions Guidance Note](#))

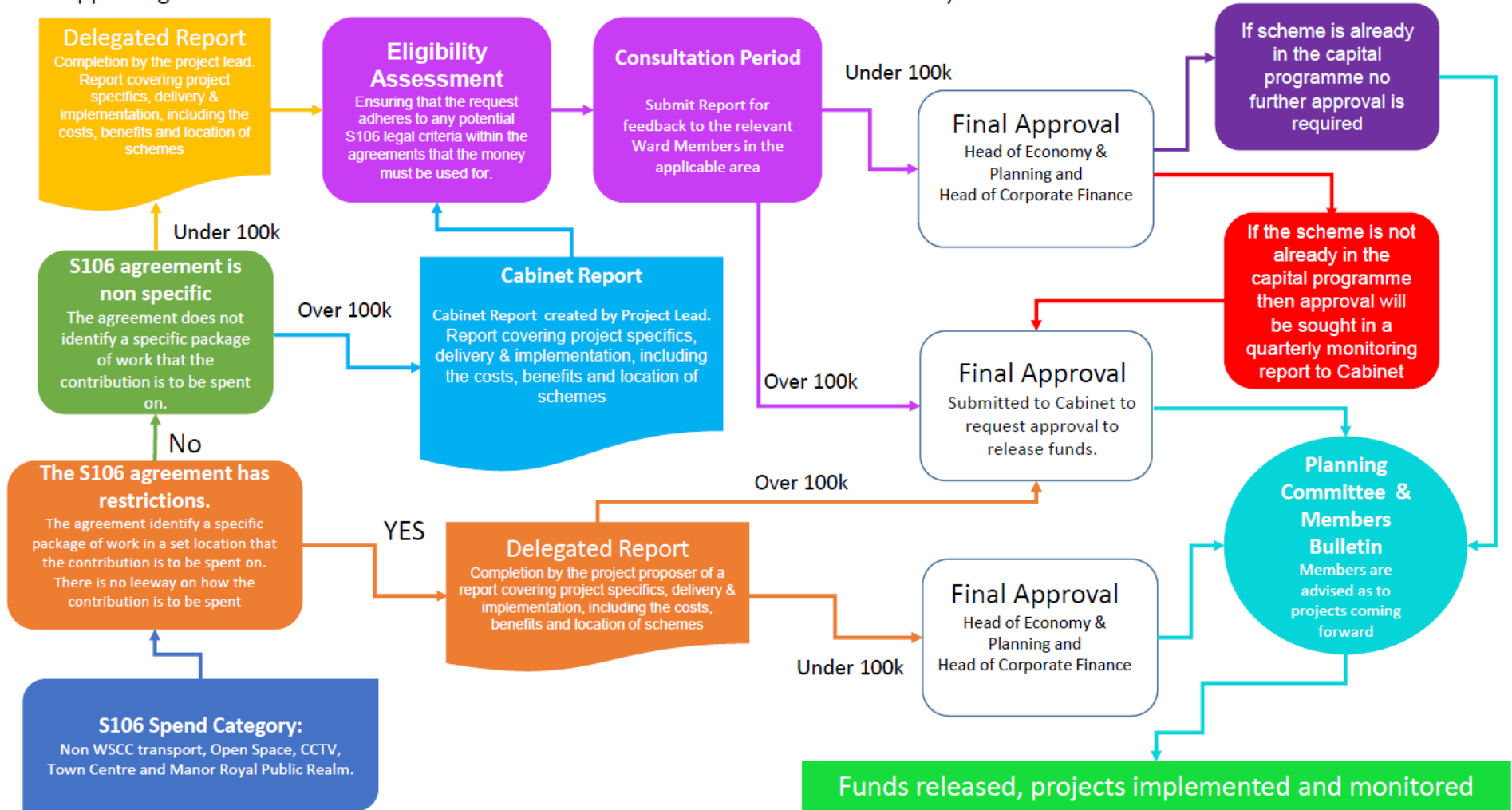
- Planning obligations are used specifically when the planning permission is deemed to have significant impact on the local area which cannot be mitigated by conditions. The statutory framework for planning obligations is set out in Section 106 of the Town & Country Planning Act 1990 (as amended by Section 12 (1) of the Planning and Compensation Act 1991). They are therefore widely referred to as 'Section 106' or 'S106' agreements.
- Planning obligations usually take the form of a legal agreement between the developer/landowner and the local planning authority, under which the former party is bound to undertake specific actions (including the payment of stated monetary sums) for the purpose of contributing to meeting the infrastructure demands arising from a development. They can also take the form of a 'Unilateral Undertaking' entered into by the landowner on their own initiative.
- The National Planning Policy Framework (NPPF) provides guidance to local planning authorities on the use of planning obligations in paragraphs 54 to 57. These state that local planning authorities can only use obligations where a condition cannot adequately address any impacts which are deemed unacceptable. Obligations must also meet the following criteria:
 - Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- The NPPF further sets out that where policies have set out the contributions expected from development, planning applications that comply with them should assumed to be viable.

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Approving Release of S106 Monies (CBC as Project Lead)

Transport (not specified for transfer to WSCC), Open Space, CCTV, Town Centre, and Manor Royal Public Realm.

Approving release of S106 monies collected which are outside of West Sussex County Council's remit.

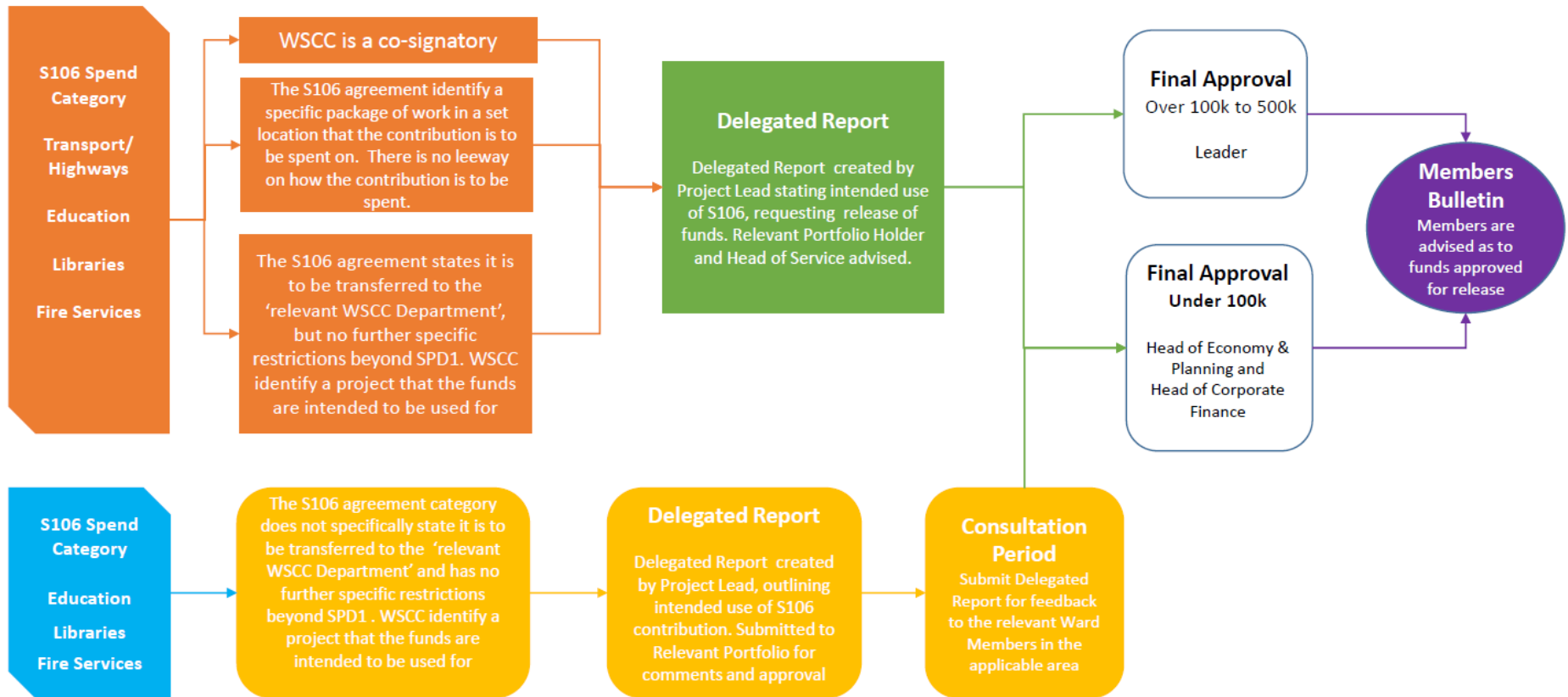


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Approving Release of S106 Monies (WSCC as Project Lead)

Transport (specified as transfer to WSCC), Fire, Education and Libraries.

Approving release of S106 monies up to £500,000 which have been collected specifically for spend categories within West Sussex County Council’s remit.



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