

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Rooms A & B - Town Hall**, on **Tuesday, 1 November 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 Mwgale, S Pritchard, S Raja and
S Sivarajah

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

Part A Business (Open to the Public)

	Ward	Pages
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 - 12
To approve as a correct record the minutes of the Planning Committee held on 4 th October 2022.		
5. Planning Application CR/2022/0487/FUL - TUI Travel House, Crawley Business Quarter, Northgate, Crawley	Langley Green & Tushmore	13 - 22
To consider report PES/407a of the Head of Economy and Planning.		
RECOMMENDATION to PERMIT.		
6. Tree Preservation Order Application CR/2022/0517/TPO - Amenity Land Adjacent to 65 Grattons Drive, Pound Hill, Crawley	Pound Hill North & Forge Wood	23 - 26
To consider report PES/407b of the Head of Economy and Planning.		
RECOMMENDATION to CONSENT.		

		Pages
7.	Tree Preservation Order Application CR/2022/0582/TPO - 8 Haversham Close, Three Bridges, Crawley	27 - 30
	To consider report PES/407c of the Head of Economy and Planning.	
	RECOMMENDATION to CONSENT.	
8.	Section 106 Monies - Q2 2022/23	31 - 38
	To consider report PES/424 of the Head of Economy and Planning.	
9.	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, 4 October 2022 at 7.30 pm

Councillors Present:

R D Burrett (Chair)

Y Khan (Vice-Chair)

A Belben, B J Burgess, K L Jaggard, S Malik, S Pritchard and S Raja

Officers Present:

Siraj Choudhury Head of Governance, People & Performance

Jean McPherson Group Manager (Development Management)

Clem Smith Head of Economy and Planning

Jess Tamplin Democratic Services Officer

Hamish Walke Principal Planning Officer

Apologies for Absence:

Councillors S Mullins, M Mwagale and S Sivarajah

Also in Attendance:

Councillor K McCarthy

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Burgess	CR/2022/0256/RG3 – Western End of The Boulevard, Northgate, Crawley (Minute 6)	Personal Interest – a West Sussex County Councillor
Councillor Burrett	CR/2022/0256/RG3 – Western End of The Boulevard, Northgate, Crawley (Minute 6)	Personal Interest – a West Sussex County Councillor

2. Lobbying Declarations

Councillors A Belben, Burrett, Jaggard, Malik, Pritchard, and Raja had been lobbied but had expressed no view on application CR/2022/0199/FUL - 54 St Mary's Drive, Pound Hill, Crawley.

3. Minutes

The minutes of the meeting of the Planning Committee held on 30 August 2022 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2022/0104/FUL - The Fleming Centre, Fleming Way, Northgate, Crawley

The Committee considered report [PES/406a](#) of the Head of Economy and Planning which proposed as follows:

Refurbishment of existing units to include respraying of cladding, new entrance canopies, PVS on the roofs, internal refurbishment of Unit D and associated car park and landscape works (amended description).

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

The Group Manager (Development Management) provided a verbal summation of the application, which sought permission for internal changes (to Unit D) and external refurbishment works to the four commercial buildings at a site in the Manor Royal Business District. The Officer updated the Committee that, since the publication of the report, the following correction to the response from the GAL Planning Department was required: 'Detailed comments that the amenity area to the north would be exposed to high levels of aircraft noise if a second runway as shown on the *Gatwick Masterplan (plan 21)* was to be delivered.' The Officer then gave detail of the various relevant planning considerations as detailed in the report.

The Committee then considered the application and in doing so sought further information regarding water consumption at the site. It was explained that the proposed internal refurbishments to Unit D would not normally be subject to planning control. However a restrictive condition was imposed on the development in 1984 which removed permitted development rights for alterations to the units – planning permission was therefore required, and so it was necessary for the applicant to demonstrate water neutrality. This was to be achieved by the replacement of dated and inefficient water fittings and the removal of two sinks and an outside tap. A new shower and additional WC were to be installed, however the floorspace and the use of the building were not proposed to be increased so there was no increase in demand. Calculations suggested that the average water consumption per person per day was to reduce from 87 litres to 68 litres.

Following a discussion regarding the management of parking at the site, a Committee member proposed an amendment to condition 9 which aimed to ensure the parking was used only by those vehicles in connection with the occupation of the units. The amendment was moved and seconded and was agreed by the Committee.

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Delegate the decision to permit the application to the Head of Economy and Planning, subject to the conditions set out in report PES/406a (including the amended condition 9 set out below) and to await receipt of satisfactory comments from Natural England on the appropriate assessment.

'9. The revised parking layout shall not thereafter be used for any purpose other than the parking/turning of vehicles *in connection with the occupation of the units* and those areas shall not be used for any outside storage of any goods or refuse associated with the business units.

REASON: To ensure that adequate and satisfactory provision is retained for the accommodation of vehicles clear of the highways in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.'

5. Planning Application CR/2022/0199/FUL - 54 St Mary's Drive, Pound Hill, Crawley

The Committee considered report [PES/406b](#) of the Head of Economy and Planning which proposed as follows:

Demolition of existing garage and erection of proposed two storey side, single storey side and single storey rear extensions.

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

The Group Manager (Development Management) provided a verbal summation of the application, which sought permission to extend a detached house on St Mary's Drive in Pound Hill. The Officer confirmed that the site was not within the Sussex North Water Resource Zone and was therefore not impacted by water neutrality restrictions, and then gave detail of the various relevant planning considerations as detailed in the report.

Kieran Gill, the applicant, spoke in support of the application. Matters raised included:

- The extension was sought to enable a multi-generational family to live together with sufficient space.
- Previous applications for an extension to the property had been submitted, withdrawn/refused, reduced in size, and resubmitted on two occasions.
- There were many different styles of home on St Mary's Drive, a number of which had been substantially extended, including the neighbouring houses. The proposal was therefore not out of character.

James Nayler, the agent, spoke in support of the application. Matters raised included:

- The size and mass of the proposed extension was appropriate – the two-storey side extension was in a large open area of the site, and the proposal resulted in a dwelling that was less deep than previously-refused applications at the same site.
- There was no negative impact on neighbours' amenity as the distances between the proposed dwelling and the neighbouring houses complied with standards.
- All materials used in the proposed design of the extensions were in keeping with the existing building.

The Committee then considered the application. Clarity was sought regarding the distances to neighbouring houses – it was confirmed that the nearest point from the proposed extension to the boundary with 24 Byron Close was 805mm. Committee

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members discussed the relationship between the two properties and whether the proposal could have a negative impact on the neighbour's amenity. It was noted that the residents of 24 Byron Close had not objected to the proposal.

Following a query from a Committee member, the Officer clarified that the proposed single-storey extensions were not able to be constructed under permitted development rights due to the siting and size of each of the elements of the proposal. The cumulative impact of the resultant development needed to be considered in this case.

A Committee member raised the matter of the previously-submitted applications at the site, which had been withdrawn or refused based on their size. The Officer clarified that it was not within the remit of the Local Planning Authority to advise applicants on the detailed design specifications of any resubmitted applications.

Committee members queried the reasons for the Officer's recommendation to refuse the application and suggested that the proposals would not be out of place considering the mix of styles and sizes of properties in the area. The Officer clarified that a number of those properties were granted permission for extensions prior to the issuing of new guidance and policy (such as the Local Plan and Urban Design SPD) which set out tighter regulations on the size and style of residential extensions. It was also highlighted that there was an unusual relationship between no. 54 and the neighbouring properties, which made it difficult to compare to other extensions in the area. The Committee discussed the streetscene and noted that applications for extensions were taken on a case-by-case basis.

A vote was taken on the recommendation to refuse the application as set out in the report, which was overturned.

The Committee discussed alternative proposals and possible conditions to attach to the planning permission, were it to be granted. It was agreed that these should be based on the standard conditions for extensions to residential homes with any further conditions added as necessary (to be determined by the Planning Officers). A proposal to permit the application was moved and seconded – the Committee explained that it believed the design and appearance of the proposed scheme was in keeping with the streetscene due to the variety of unique properties in the local area. It was also highlighted that the distances between the dwelling and the neighbouring houses complied with all policy requirements, and there had been no objections from neighbours that related to material planning considerations.

The Committee then voted on the proposal to permit the application.

RESOLVED

Permit subject to the following conditions:

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

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3. The materials and finishes of the external walls and roofs of the proposed two storey side, single storey side and single storey rear extensions hereby permitted shall match in colour and texture to those of the existing dwelling.
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the north, south or east elevations of the extension/building without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities of adjoining residential properties at 52 St Mary's Drive and 24 Byron Close, in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. The windows on the north elevation of the building shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening.
REASON: To protect the amenities and privacy of the adjoining property at 24 Bryon Close in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

NPPF Statement –

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

- Seeking 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.

6. Planning Application CR/2022/0256/RG3 - Western End of The Boulevard, Northgate, Crawley

The Committee considered report [PES/406c](#) of the Head of Economy and Planning which proposed as follows:

Road and access improvement works to encourage sustainable means of transport from the end of the Eastern Boulevard Scheme to the junction of the High Street.

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

The Principal Planning Officer provided a verbal summation of the application, which was submitted by Crawley Borough Council and sought a continuation of the recent road improvement works along The Boulevard which had formed part of West Sussex County Council's Eastern Gateway scheme. The Officer updated the Committee that, since the publication of the report, further information had been received from the applicant's Construction Project Manager which necessitated the addition of one

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further condition (condition 6). The Officer then gave detail of the various relevant planning considerations as detailed in the report.

The Committee then considered the application. During a discussion regarding the proposed cycle paths and bus lanes, the Officer confirmed that these were to be one-way in order to continue the existing arrangements at the eastern end of The Boulevard. It was suggested that this could improve traffic along the road and at the junction with the High Street, especially with the service road on the north side of The Boulevard/outside the Post Office also becoming one-way (east to west).

Committee members discussed the proposal's impact on parking arrangements. It was confirmed that 14 spaces in total would be lost as a result of the proposed scheme. The chevron spaces which were to be retained were not currently in line with parking standards, so were to be revised to be at a greater angle and slanted against the direction of traffic flow. As a result of this, vehicles would reverse into the bays, which was considered safer than reversing out into oncoming traffic.

It was noted that the scheme proposed the removal (and subsequent replacement) of one tree. It was considered positive that all other trees in the area were to be retained.

RESOLVED

Permit subject to conditions set out in report PES/406c and the following additional condition:

'6. The development hereby approved shall be carried out in accordance with the details set out in the email from the Construction Project Manager dated 27 September 2022 regarding phasing, working areas, traffic control, storage and compound facilities unless otherwise agreed in writing by the Local Planning Authority.

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

7. Planning Application CR/2022/0429/FUL - Land Enclosed by Creasys Drive and Broadfield Place, Broadfield, Crawley

The Committee considered report [PES/406d](#) of the Head of Economy and Planning which proposed as follows:

Installation of external wall insulation to properties on the Creasys Drive estate, Broadfield.

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

The Principal Planning Officer provided a verbal summation of the application, which sought permission for the fitting of energy-efficient insulation to the external walls of 48 dwellings owned by Crawley Borough Council. The Officer updated the Committee that, since the publication of the report, minor amendments were required to conditions 3, 4, 5, and 6. It was brought to the Committee's attention that the schedule of materials and finishes had not yet been finalised as discussions between the applicant and the Local Planning Authority were ongoing, so the recommendation was to be amended in order to delegate authority to the Head of Economy and Planning to permit the application. The Officer then gave detail of the various relevant planning considerations as detailed in the report.

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The Committee then considered the application. Committee members discussed the proposed materials to be fitted over the insulation, and it was confirmed that the intention was to ensure that all replacement materials were of the same durability and were as weatherproof as the existing materials. It was possible that some materials (such as tiles) could be re-used, but those that could not would be replaced – wooden cladding, for example, was likely to be replaced with UPVC cladding.

A Committee member sought clarity over the ownership of the properties in receipt of the proposed insulation. The Officer confirmed that the 48 properties affected by the application were all Council-owned homes, some of which were terraced with or connected to privately-owned homes which were not included in the insulation project. In response to a further query as to whether the owners of those homes had been offered the insulation in order to create a greater positive environmental impact, officers agreed to seek this information from the applicant (the Council's Crawley Homes team). Previous similar schemes had involved dialogue with local homeowners so it was possible there had also been communication on this occasion.

It was confirmed that the blocks of flats within the area were not covered by the current application. It was suggested that insulation of the blocks could be explored as part of a further stage in the process – however the mix of Council-owned and privately-owned flats was likely to make the process of insulating the blocks more complex.

RESOLVED

Delegate the decision to permit the application to the Head of Economy and Planning, subject to receipt of a satisfactory schedule of materials and finishes and the conditions set out in report PES/406d – with conditions 3, 4, 5, and 6 amended as follows:

'3. No development, including site or setting up works of any description, shall take place on or adjacent to Nos. 14 Carman Walk, 8 Tatham Court and 11 Bevan Court unless and until the existing trees adjacent to those sites *have been protected by fences in accordance with the details shown on the Proposed Tree Protection Measures (SHDF W1B F58 – Tree) drawing*. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered. These measures shall remain in place until the works at these properties have been fully completed and all associated materials and equipment has been removed.

REASON: To ensure the retention and maintenance of trees which are an important feature of the area in accordance with Policy CH7 of the Crawley Borough Local Plan 2015 - 2030.'

'4. The development hereby approved to each house shall be carried out in accordance with the details set out in the email from the applicant dated 31 August 2022 regarding unloading locations and timeframes, resident engagement and the provision of barriers, minimum footpath widths and alternative temporary footpath provision *unless otherwise agreed in writing by the Local Planning Authority*.

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

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'5. The development shall be carried out *in strict accordance with the schedule of materials and finishes received on (DATE TBC) 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 buildings of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.'

'6. The development shall be implemented in accordance with the details provided in the submitted document titled 'Appendix 1' dated July 2022, the submitted document titled '6.1: Archetypes Performance – Measures Modelled in the Assessments' dated June 2022, and the submitted document titled '6.2: PHPP Assessment' dated June 2022 *unless otherwise agreed in writing by the Local Planning Authority.*

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

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.43 pm.

R D Burrett (Chair)

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 1 November 2022
REPORT NO: PES/407(a)

REFERENCE NO: CR/2022/0487/FUL

LOCATION: [TUI TRAVEL HOUSE, CRAWLEY BUSINESS QUARTER, NORTHGATE, CRAWLEY](#)
WARD: Langley Green & Tushmore
PROPOSAL: ALTERATION TO SOME DOORS AND WINDOWS ON ELEVATIONS, NEW ROLLER SHUTTER DOOR ON NORTH ELEVATION AND FIRST FLOOR DOOR ON SOUTH ELEVATION, PROVISION OF EV CHARGING POINTS, INSTALLATION OF PV PANELS TO ROOF (SOUTH AND EAST ELEVATIONS) AND REPLACEMENT OF ROOF PLANT (AMENDED DESCRIPTION).

TARGET DECISION DATE: 10 November 2022

CASE OFFICER: Mrs J. McPherson

APPLICANT'S NAME: Crawley Borough Council
AGENT'S NAME: Miller Bourne Architects

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
1015 S4 Rev	P02	Roof Plan
2002 S4 Rev	P07	Existing East West & Entrance Elevations
2003 S4 Rev	P04	Existing North & South Elevations
2012 S4 Rev	P07	East West & Entrance Elevations
2013 S4 Rev	P03	North & South Elevations
1011 S4 Rev	P06	Block Plan Proposed
1001 S4 Rev	P03	Location Plan & Existing Block Plan
1005 S4 Rev	P01	Plant & Roof level existing

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | |
|---|--|
| 1. GAL Aerodrome Safeguarding | Additional information requested. This has been provided by the applicants and awaiting comments from GAL. |
| 2. National Air Traffic Services (NATS) | No objection. |
| 3. UK Power Networks | No comments received. |
| 4. CBC Contaminated Land Officer | No objection subject to condition. |
| 5. CBC Environmental Health Officer | No objection. |
| 6. CBC Energy Efficiency & Sustainability | No comments received. |
| 7. Manor Royal Business District | Supports development – proposals for Innovation Centre align with the aspirational vision of the business district. Welcome inclusion of solar panels to support sustainability. |

NEIGHBOUR NOTIFICATIONS:-

Pioneer House, Crawley Business Quarter;
Instalrite Design Ltd, Unit D, Faraday Road,
Lexus Gatwick, Fleming House,
JLC Group Ltd, Unit 5, The Satellite Business Village,
Premier Inn, Crawley Business Quarter,
Bramble Energy, Unit 6, The Satellite Business Village,
Chemigraphic Ltd, Units A1 and A2, The Fleming Centre,
Motorline Hyundai Gatwick, Fleming House,
Motorline Peugeot Gatwick, Fleming House.

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RESPONSES RECEIVED:-

None.

REASON FOR REPORTING TO COMMITTEE:-

The application has been submitted by Crawley Borough Council.

THE APPLICATION SITE:-

- 1.1 The site is a 3 storey office building finished in buff brick with grey windows and a grey tiled roof situated on the south side of Fleming Way and forms part of Crawley Business Quarter. The building is a broadly 'L' shaped form which has its main entrance centrally located within the inside part of the 'L'. The building takes its access (pedestrian and vehicular) from the estate road to the west that serves the business quarter. The site is well landscaped on all sides. The car park wraps around the site to the north, west and south. None of the trees are protected. The building is currently vacant and the car park grounds are rather overgrown.
- 1.2 The site is located within the Manor Royal Main Employment Area. To the east are 2 storey units (numbers 5 and 6) in the Satellite Business Village. These properties have their rear elevations facing the site and there is a thick intervening tree screen along the boundary. To the north is Fleming Way, and immediately to the north on the highway verge is a telecommunications mast with associated equipment cabinets. To the west is the access road into Crawley Business Quarter beyond which is the Premier Inn. A further 3 storey office building adjoins the site boundary to the south
- 1.3 The site is within the Priority Area of District Energy Networks as set out under policy ENV7 of the Crawley Borough Local Plan 2015-2030 (CBLP), the view splay for Target Hill North East (policy CH8) and an area covered by Article 4 Directions that remove permitted development rights for the conversion of offices and storage and distribution uses to residential. The site is identified as contaminated land.
- 1.4 The application site is supplied with water by Southern Water from its Sussex North Water Resource Zone (SNWRZ).

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for:
 - Alterations to doors and windows at ground floor level on the east, south and north elevations;
 - Insertion of a new roller shutter door (replacing 3 windows on the north elevation);
 - Insertion of first floor door on the south elevation;
 - Installation of PV panels on roofslope on east and south elevations;
 - Replacement roof plant; and
 - Installation of EV charging points.
- 2.2 The extent of the works are limited to the exterior of the building and the parking layout. There are no restrictions on this building in relation to any changes that may be necessary to the interior of the building, these are not therefore subject to any planning control.

PLANNING HISTORY:-

- 3.1 The current building was constructed under planning permission CR/98/0667/FUL (formerly known as site F1) and was part of wider redevelopment known as Crawley Business Quarter. The permission was for 3 storey offices (Use Class B1) and a number of restrictive conditions remain in force including controls over the site layout such as parking and turning areas to be retained and a requirement for planning permission for any external lighting and floodlighting. No permitted development rights have been removed. A legal agreement was also completed to ensure that the parking layouts were controlled and implemented on this site.

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- 3.2 The building remains largely unchanged since its construction, although CR/2001/0716/FUL granted permission for air conditioning condensers to be installed. This appears to be the only alteration..

PLANNING POLICY:-

National Planning Policy Framework (July 2021)

- 4.1. The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development, the relevant sections are.
- Section 6 – Building a strong, competitive economy. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
 - Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued including designing into development provision for plug-in and low emission vehicles and the requirement for travel plans for developments generating significant amounts of movement.
 - 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.

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

- 4.2. The following policies from the Crawley Borough Local Plan are most relevant to the proposal:
- Policy SD1: (Presumption in Favour of Sustainable Development) The Council will take a positive approach, in line with the planned approach to Crawley new town, to approving development which is sustainable and work proactively with applicants, stakeholders and other partners to find solutions. Development will be supported where it meets strategic objectives including becoming carbon neutral and addressing climate change; complementing the town's compact character and neighbourhood principles; respecting heritage; protecting and enhancing Green Infrastructure; creating a safe environment; providing for social and economic needs; and according with the Plan's policies and objectives.
 - Policy CH3: (Normal Requirements of all New Development) Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained.
 - Policy CH6: (Tree Planting and Replacement Standards) Sets out that where development would result in the loss of trees, these should be identified and replaced to mitigate the visual impact from the loss of canopies. The requirement for replacement trees is based on the size of the trees to be lost and this is expected to take place on site or be subject to commuted payments for planting elsewhere. The Manor Royal Design Guide sets out tree planting requirements for that area.
 - Policy EC3 (Manor Royal) Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.
 - Policy ENV2 (Biodiversity) All development will be expected to incorporate biodiversity features where appropriate and enhance existing features of nature conservation value around the development.
 - Policy ENV6 (Sustainable Design and Construction) All development must consider how it can address sustainability through reducing energy consumption, using renewable and low carbon energy, improving existing buildings when adding extensions, minimising carbon emissions

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during development and ensuring embedded carbon is retained and considering District Heat Networks, water stress and temperature extremes.

- Policy ENV10 (Pollution Management and Land Contamination) ensures that new development does not increase levels of pollution or hazards and is appropriate to its location. Where a site may be at risk from contaminants or hazardous materials, information must be provided on how the risk will be addressed and pollution treated or removed.
- Policy IN3 (Development and Requirements for Sustainable Transport) Development should be focussed to achieve sustainable transport through use of public transport, walking and cycling. Development should meet the access needs generated and not have unacceptable impact on congestion or highway safety.

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

4.3 The Crawley Borough Local Plan is in the process of review. The Council published its Submission Draft Local Plan for Regulation 19 for consultation from early January 2021 to 30th June 2021 and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy SD2: Enabling Healthy Lifestyles and Wellbeing
- Policy CL2: Making Successful Places: Principles of Good Urban Design
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy DD4: Tree Replacement Standards
- Policy DD5: Aerodrome Safeguarding
- Policy EC2: Economic Growth in Main Employment Areas
- Policy EC3: Manor Royal
- Policy GI1: Green Infrastructure
- Policy GI3: Biodiversity and Net Gain
- Policy SDC1: Sustainable Design and Construction
- Policy EP6: External Lighting
- Policy ST1: Development and Requirements for Sustainable Transport

Supplementary Planning Documents

4.4 The following supplementary planning documents are applicable to this application:

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

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

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

The document emphasises the importance of landscaping as a key consideration in creating a sense of place for Manor Royal and improving the quality of the public realm.

Planning and Climate Change SPD – Adopted October 2016

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

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Green Infrastructure SPD – Adopted October 2016

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

Urban Design SPD – Adopted October 2016

- 4.8 This document provides further advice on the principles of good urban design in the Crawley context, highlighting in particular the importance of massing and materials, public realm, street design, parking and sustainable design. For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings relative to the street is encouraged along with opportunities to improve the urban environment and the use of landscaping.

PLANNING CONSIDERATIONS:-

- 5.1 The works proposed comprise alterations to some of the building openings to accommodate the requirements of the incoming tenant along with other improvements to improve the sustainability of the building and to accommodate electric vehicles. The principle of reusing the building for employment use within the main employment area is supported by policy EC3. The main planning issues are therefore considered to be:

- The design and appearance proposed alterations on the building/visual amenity
- Impact on operational requirements of the site and impact on impact on trees / landscaping
- Sustainability
- Contamination and noise
- Aerodrome Safeguarding
- Water Neutrality.

Design and appearance of the buildings/visual amenity

- 5.2 Alterations are proposed to windows and doors on the office building. On the ground floor east elevation 3 windows are to be replaced by doors. These new doors would be the same width as the windows they therefore the proposed alterations would appear visually consistent with the existing glazing pattern for the building and are considered acceptable.
- 5.3 In the south elevation a ground floor window is proposed to be replaced by a new door of the same width and a 1st floor door is proposed to be inserted replacing a small window. This first floor alteration would create a wider aperture with a Juliet balcony feature which would look different from the current regular pattern of glazing. It is considered however that the door design would respect the symmetry and detailing of the wall on which it would be sited and, subject to this being installed in materials to match the existing windows and doors, it would be visually acceptable. The south elevation is not visually prominent from the streetscene.
- 5.4 On the north elevation a single ground floor window is proposed to be replaced with a set of double doors which would visually change the fenestration pattern on this section of the building. However, this is not considered to be harmful to the overall appearance of the building. In addition and also on the north elevation, 3 windows are to be replaced by a roller shutter door. While this door would alter the original elevation of the building, it is considered that its siting is appropriately designed in terms of the overall width and height, and it would match the glazing pattern around it. It is considered that subject to further details on the finish and appearance of the door, that this alteration would be visually acceptable.
- 5.5 The proposed aluminium PV solar panels would be visible on the east and south roof of the building fixed to the roof on brackets and mounted at a 35 degree angle. These would appear as functional additions to the roof slope and while they are not particularly attractive aesthetically, the visual impact does need to be weighed against the sustainability benefits to the building and its future occupiers. The east and south elevations are less visible in the street scene as there is a belt of mature trees

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along the eastern boundary screening the building from public views and semi mature landscaping along the southern boundary which also provides a softer landscaped setting for the office. It is not considered the panels have a harmful impact on visual amenity.

- 5.6 The proposal also involves the renewal/replacement of external roof plant located in an existing enclosure on the east elevation of the roof slope. This plant is not readily visible from the street and the replacement equipment would be slightly lower than the existing. It is not considered that there is an adverse visual impact from this alteration.

Impact on operational requirements of the site and impact on trees /landscaping

- 5.7 There are no changes proposed to the existing car parking layout in relation to the number of spaces. Alterations are proposed to provide 10 active EV charging spaces and 20 passive EV charging spaces.
- 5.8 There is a query as to how access to the new roller shutter door is to be achieved given it is currently obstructed by parking spaces, a flower bed containing 2 trees and an access path to the building which incorporates a metal entrance pergola. The applicant has stated that the access to these doors (which are to accommodate larger deliveries for a future anchor tenant), would be planned and on those days the parking bays adjacent to the doors would be suspended while the delivery is unloaded. The applicant has further stated that the entrance pergola would be removed and that landscaping which is overgrown would be maintained and whilst it may be necessary to widen the path adjacent to the doors, it is hoped to retain the two trees. There is therefore concern that the proposed arrangements shown on the approved plan may not be practical and would result in the loss of a tree/trees due to works taking place within the root protection areas. It is therefore proposed that a condition be imposed to agree precise details of the hard and soft landscaping works in the vicinity of the roller shutter doors in order to ensure trees are replaced and hard and soft landscaping around the entrance area to the building is a good quality finish and standard.
- 5.9 The applicant has also explained that the 1st floor level doors in the south elevation of the building are only needed for the loading of occasional pieces of equipment so the parking bays in front of it would be in use most of the time.
- 5.10 With regard to cycle parking there is an existing shelter at the site which is proposed to be replaced on a like for like basis.
- 5.11 In conclusion, it is considered that adequate parking arrangements are retained on the site which would be enhanced with the addition of EV charging points. The car park operations should not be unduly impacted by the creation of the two new loading doors and the details of the access arrangements for the roller shutter door can be addressed through a condition.

Sustainability

- 5.12 The introduction of solar panels is supported by policy ENV6 as this could potentially reduce the developments reliance on non-renewable fuels. The EV charging points are also considered a positive addition for use of electric vehicles.

Contamination and noise

- 5.13 The site has been identified as potentially contaminated due to its past use as an unspecified engineering works (prior to its development as the Fleming Centre). The CBC Contaminated Land Officer has commented that as the proposal is primarily a refurbishment rather than demolition any risks from contaminated land are low unless there are intrusive ground works. In this case, the ground works would appear to be very limited to shallow excavations for the EV charging points. A condition is therefore recommended that will address any contamination issues encountered during these limited excavations.
- 5.14 The new roof plant would replace the existing roof plant in same the location on the east elevation of the building. This elevation faces onto commercial buildings in the Satellite Business Village. There

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are no noise sensitive uses in the surrounding area. The Environmental Health Team has raised no objection to the proposal in respect of noise impacts.

Aerodrome Safeguarding

5.15 During the course of the application the applicants have provided further information on the design and appearance of the PV panels at the request of Gatwick Airport Limited (GAL). At the time of preparing this report the final comments from GAL have not been received but given other recent cases for such proposals in Manor Royal it is considered highly likely that this matter can be resolved through condition. An update will be provided at the Planning Committee meeting.

Water neutrality

5.16 The Local Planning Authority received a Position Statement from Natural England on 14 September 2021. It raised significant concerns about the impact of water abstraction in the Sussex North Water Resource Zone upon the Arun Valley's protected SAC, SPA and Ramsar sites. The proposal would involve no new connection to the water supply. A screening assessment has been undertaken which concludes that the proposal would be water neutral as a result. The Local Planning Authority has therefore concluded that the proposal would not adversely affect the integrity of the protected sites and would not conflict with the obligations under the Conservation of Habitats and Species Regulations 2017.

CONCLUSIONS:-

6.1 It is considered the works that are the subject of this application would enable an existing office to be reoccupied and this is supported in terms of bringing employment back to the site in the main employment area. The external works to the building are considered to be visually acceptable and would also improve the sustainability of the building. The alterations would not have any adverse impact upon the operational requirements of the site or on nearby neighbours. It is therefore considered that the development would comply with the relevant policies in the Development Plan and it is recommended that planning permission be granted.

RECOMMENDATION RE: CR/2022/0487/FUL:-

PERMIT, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No exterior works to the openings of the building shall be carried out unless and until a schedule of materials and finishes to be used for external walls, doors and windows have been submitted to and approved by the Local Planning Authority. The works shall thereafter be carried out in accordance with the approved details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. The roller shutter door and first floor door shall not be installed until precise details showing the door and window profiles for the apertures including the brick detail surrounds (including a 1:20 section of the glazing details) have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the agreed details.
REASON: To control the development in detail and to ensure a high-quality development in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030

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5. This site has been identified as potentially contaminated due to its past land use (Engineering Works). The proposed refurbishment is likely to be a low risk of significant harm to the end users. However, if during any works contamination is encountered which has not been previously identified it should be reported immediately to the Local Planning Authority. The additional contamination shall be fully assessed and an appropriate remediation scheme undertaken in accordance with details that have first been submitted to and been agreed in writing with the Local Planning Authority.
REASON: To safeguard the health of future occupiers of the site in accordance with Policy ENV10 of the Crawley Borough Council Local Plan 2015 - 2030.
6. The revised parking layout shall not thereafter be used for any purpose other than the parking /turning of vehicles in connection with the occupation of the units and those areas shall not be used for any outside storage of any goods or refuse associated with the business units.
REASON: To ensure that adequate and satisfactory provision is retained for the accommodation of vehicles clear of the highways in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
7. Notwithstanding the details shown on the block plan, the roller shutter doors shall not be installed until a landscape plan showing hard and soft landscaping details and means of access to the roller shutter doors has been submitted to and approved in writing by the Local Planning Authority. The landscaping details shall have been implemented prior to the roller shutter doors being brought into use.
REASON: To control the development in detail, to ensure the operational and parking requirements for the site are met and any trees / landscaping lost is appropriately mitigated in accordance with policies CH3 and CH6 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

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

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

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

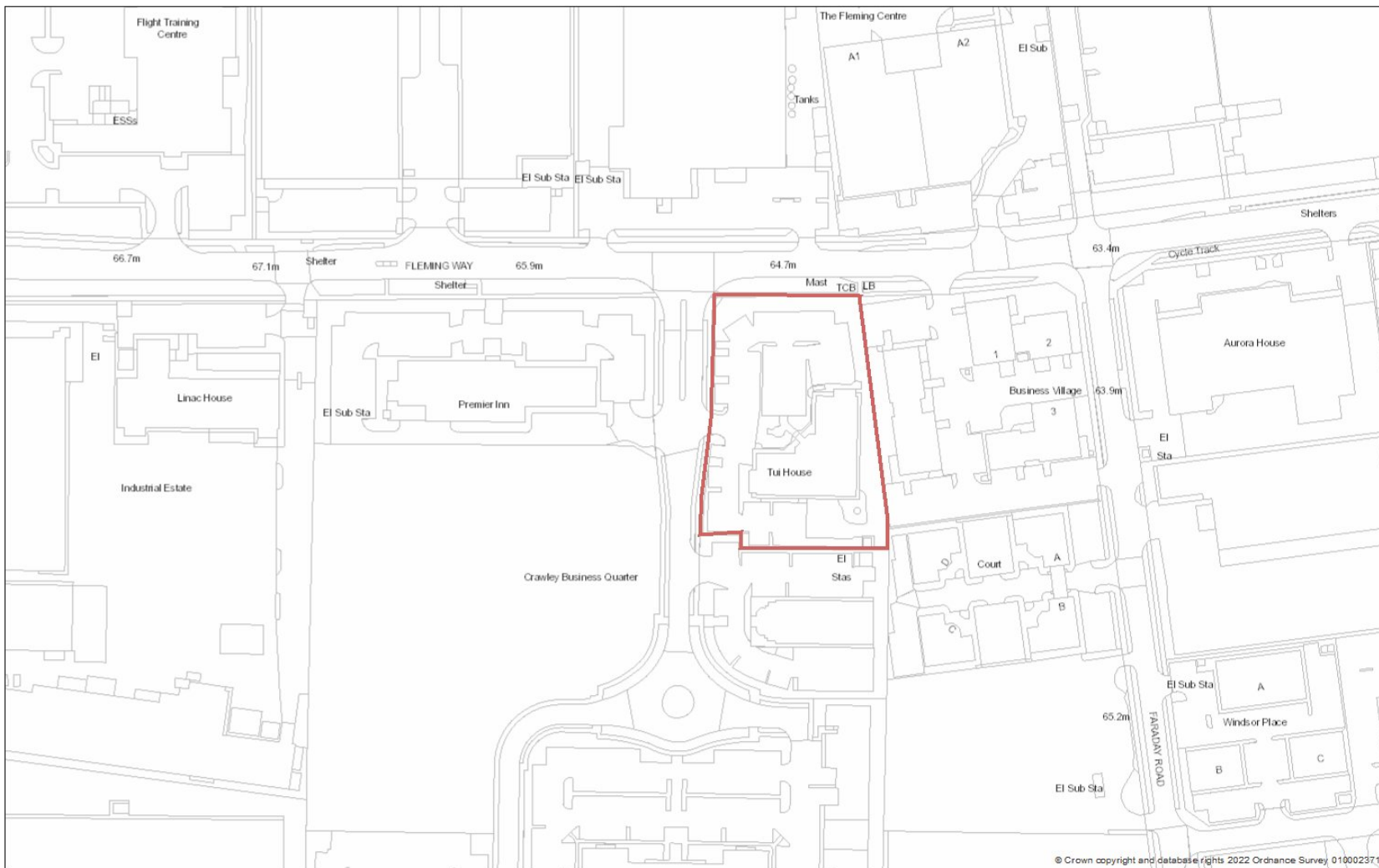


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Agenda Item 6

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 1 November 2022
REPORT NO: PES/407(b)

REFERENCE NO: CR/2022/0517/TPO

LOCATION: [AMENITY LAND ADJACENT TO 65 GRATTONS DRIVE, POUND HILL, CRAWLEY](#)
WARD: Pound Hill North & Forge Wood
PROPOSAL: 1814 OAK - CROWN REDUCTION BY 1.5 METRES TO APPROPRIATE GROWTH POINTS. REMOVAL OF BASAL/EPICORMIC GROWTH.
1815 OAK - CROWN REDUCTION BY 1.5 METRES TO APPROPRIATE GROWTH POINTS. REMOVAL OF BASAL/EPICORMIC GROWTH.
1816 OAK - CROWN REDUCTION BY 1.5 METRES TO APPROPRIATE GROWTH POINTS.
1818 OAK - FELL
1817 OAK - FELL

TARGET DECISION DATE: 25 October 2022

CASE OFFICER: Mr R. Spurrell

APPLICANT'S NAME: Crawley Borough Council

AGENT'S NAME: Crawley Borough Council

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
CBC 0001		Tree Plan

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant.

PUBLICITY/NOTIFICATION:-

As the Council is the applicant notification is required by way of a site notice. A site notice was affixed to one of the trees during the site visit. At the time of preparing this report, no responses had been received. The consultation period for comments expires on 3rd November 2022.

PLANNING HISTORY:-

- 1.1 No history of tree works.
- 1.2 The trees are protected under Tree Preservation Order Reference: 16.07.04 Milton Mount Number 1 served in 1964. The trees are part of area W1.

PLANNING POLICY:-

- 2.1 This application must be considered in the context of the following legislation:
 - Part VIII of the Town and Country Planning Act 1990 and The Town and Country Planning (Tree Preservation) (England) Regulation 2012.
 - National Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
 - Green Infrastructure Supplementary Planning Document (2016) produced to accompany the current adopted Local Plan and is a non-statutory document.

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PLANNING CONSIDERATIONS:-

- 3.1 The determining issues in this application are the effect of the proposed works on the health, character and appearance of the trees and the level of amenity that they provide within the surrounding area.
- 3.2 The trees form a group of 5 oaks located on Council-owned amenity land to the south of 65 Grattons Drive and to the east of Grattons playing field. It is considered that the trees overall make a good contribution to public visual amenity and make an important contribution to the green and well landscaped character of the area, with the exception of tree 1817 which is almost completely dead.
- 3.3 The life expectancy of 3 trees (1814, 1815 and 1816) is 100+ years. Tree 1817 is dead and tree 1818 is infected with decay fungus and is in decline.
- 3.4 Trees 1814, 1815 and 1816 require containment pruning as they are overhanging the neighbouring property, 65 Grattons Drive, and causing a nuisance. Another reason for the works to these trees is to reduce the wind loading on them following the removal of trees 1817 and 1818. It is considered that the works to trees 1814, 1815 and 1816 would have a negligible impact on tree health and amenity and are therefore justified.
- 3.5 Tree 1817 is 90% dead and therefore requires removal and replacement.
- 3.6 Tree 1818 is also in decline and is infected with Ganoderma Resinaceum which has caused extensive decay/hollowing at the base and the safety of the tree is now in question. Furthermore, the crown is also showing signs of decline. It is considered that given the tree is located in a high target area (as it is amenity land and there could be risk to the general public) and its declining condition, in this case its removal is justified provided a replacement is planted.
- 3.7 The replacement of 1817 and 1818 will allow the new trees to become established and will likely be mature by the time the remaining trees 1814, 1815 and 1816 require removal and replacement, in this way the tree cover and amenity can be more effectively retained in the long term.

RECOMMENDATION RE: CR/2022/0517/TPO:-

Delegate the decision to CONSENT to the Head of Economy and Planning, to await the expiry of the consultation period on 3rd November, subject to the following conditions:-

1. This consent is valid for a period of two years from the date of this notice and shall only be carried out once.
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.
3. Within 12 months of the felling of Oak trees 1817 & 1818, the owner of the land shall plant 2 no. Oak trees, in a location as close to the felled trees as practical. The trees shall be not less than nursery standard size and conform to British Standard 3936: Nursery Stock Specification. In the event that the trees die within five years following such planting, they shall be replaced with similar trees in a similar position during the next planting season.
REASON: In the interests of the amenity of environment of the locality in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.



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Agenda Item 7

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 1 November 2022
REPORT NO: PES/407(c)

REFERENCE NO: CR/2022/0582/TPO

LOCATION: [8 HAVERSHAM CLOSE, THREE BRIDGES, CRAWLEY](#)
WARD: Three Bridges
PROPOSAL: T1 SYCAMORE: REDUCE HEIGHT AND CROWN RADIUS BY A MAXIMUM OF 2 METRES TO NEAREST APPROPRIATE GROWTH POINTS (AMENDED DESCRIPTION)

TARGET DECISION DATE: 7 November 2022

CASE OFFICER: Mr R. Spurrell

APPLICANT'S NAME: Mr & Mrs R Burgess
AGENT'S NAME: County Tree Surgeons Ltd

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
CBC 0001		Tree Plan

REASON FOR REPORTING TO COMMITTEE:-

The applicant is a councillor.

PLANNING HISTORY:-

- 1.1 The relevant Tree Preservation Order (TPO) is 'Three Bridges Road Number 4' confirmed in 1989 reference P16.10.13. The tree the subject of this application is identified as T6 on the Order (labelled T1 on this application).
- 1.2 Consent has recently been given under application CR/2022/0034/TPO for the following tree works for other trees within the applicant's garden:
 - T1 sycamore: remove secondary sucker growth & smaller stem (circa 50 - 75mm) encroaching garage & car parking area. Crown spread of tree to remain unaffected.
 - T2 sycamore: lateral prune south aspect over property by approx. 1.5m to appropriate growth points to ensure minimum of 2m clearance from house. Remaining crown spread of approx. 3m.
 - T3 oak: crown reduce by approx. 2m to appropriate pruning points. Final height of approx. 10m & crown spread of approx. 5m on all aspects.
- 1.3 The trees within the garden have been the subject of regular applications for pruning at regular intervals including in 2015, 2009, and 2001.

PLANNING POLICY:-

- 2.1 This application must be considered in the context of the following legislation:
 - Part VIII of the Town and Country Planning Act 1990 and The Town and Country Planning (Tree Preservation) (England) Regulation 2012.
 - National Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
 - Green Infrastructure Supplementary Planning Document (2016) produced to accompany the current adopted Local Plan and is a non-statutory document.

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PLANNING CONSIDERATIONS:-

- 3.1 The determining issues in this application are the effect of the proposed works on the health, character and appearance of the tree and the level of amenity that it provides within the surrounding area.
- 3.2 The tree is located in the rear garden of 8 Haversham Close, on the boundary with the adjacent school. The tree makes a good contribution to public visual amenity forming part of the landscaped tree boundary with the school to the north. It has a life expectancy of 100+ years.
- 3.3 The tree has grown large and requires containment pruning in order to maintain it at a more appropriate size for its surroundings. This tree was meant to be included in the previous application ref: CR/2022/0034/TPO but was accidentally omitted from the application form.
- 3.4 As stated, this is a large tree and the specified works are considered to have a negligible impact on tree health and its amenity and are therefore justified.
- 3.5 This current application also included similar works to the adjacent oak which requires a crown reduction due to it leaning alarmingly over the neighbouring property. This oak tree however is not the subject of a TPO and due to its condition is not worthy of being protected. It has therefore been omitted from the description of works on this application.

RECOMMENDATION RE: CR/2022/0582/TPO:-

CONSENT - subject to the following conditions:-

1. This consent is valid for a period of two years from the date of this notice and shall only be carried out once.
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.



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Agenda Item 8

Crawley Borough Council

Report to Planning Committee

1 November 2022

Section 106 Monies – Q2 2022/23

Report of the Head of Economy and Planning – **PES/424**

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 in quarter 2 of 2022/23.

2. Recommendations

- 2.1. That the Committee notes the update on S106 monies received, spent, and committed in Q2 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 in Q2 2022/23

- 4.1. In Q2 2022/23 a total of £0.00 of monies were paid to the Council by developers in accordance with their obligations under the S106 agreements with the local planning authority.

5. S106 Monies Spent in Q2 2022/23

5.1. In Q2 2022/23, a total of £87,683.64 of S106 monies were 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	Status
Open Space	Southgate Playing Fields	CBC	-£2,700.00	Ongoing
Town Centre	CGP Station Gateway	CBC	-£17,075.00	Ongoing
Town Centre	CGP Station Gateway	CBC	-£60,780.60	Ongoing
Town Centre	CGP Station Gateway	CBC	-£6,438.89	Ongoing
Transport	Town Centre Cycle Improvements - W3323	CBC	-£689.15	Ongoing

-£87,683.64

6. S106 Monies Committed in Q2 2022/23

6.1. A further £1,415,029.95 of S106 monies were committed to infrastructure projects in Q2 2022/23, through the Council's agreed approval process ([PES/401](#)). 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	Curteys Walk	£12,045.43	2022/23	Ongoing
Open Space	CBC	Meadowlands	£65,000.00	2022/23	Ongoing
Open Space	CBC	Brideake Close	£17,000.00	2022/23	Ongoing
Open Space	CBC	Wakehams	£55,000.00	2022/23	Ongoing
Affordable Housing	CBC	Longley House	£1,265,984.52	2024/25	Ongoing

£1,415,029.95

6.2. The following table lists the projects which had S106 funds committed prior to 1 July 2022 and are still ongoing:

S106 Spend Category	Lead Org	Project Name	Project Cost	Due to Complete
Manor Royal PR	CGP ¹	CGP MR Superhubs	£146,945.21	2024/25
Open Space	CBC	Curteys Walk (reallocated underspend)	£1,804.57	2022/23
Open Space	CBC	Newbury Close	£200.00	2022/23
Open Space	CBC	Curteys Walk	£1,150.00	2022/23
Open Space	CBC	Stoney Croft	£126.15	2022/23
Open Space	CBC	Ifield Junior	£6,010.70	2022/24
Open Space	CBC	Puffin Close, Ifield	£18,000.00	2022/23
Town Centre	CGP	CGP Station Gateway	£13,561.11	2022/23
Town Centre	CBC	Mosaic Memorial Gardens	£11,555.32	2019/ 20
Transport	CGP	Station Gateway	£109.51	2024/25
Transport	CBC	Bus Shelters	£104,675.73	2024/25
Transport	CGP	CGP MR Superhubs	£116,617.87	2024/25
Transport	CGP	CGP MR W&C	£174,117.25	2024/25
Transport	CGP	CGP TC Superhubs	£64,793.34	2024/25
Transport	CGP	CGP TC W&C	£49,608.96	2024/25
Transport	CGP	CGP Three Bridges Railway Station	£11,847.78	2024/25
Open Space	CBC	Southgate Playing Fields	£47,760.19	2022/23
Open Space	CBC	Perkstead Court	£20,000.00	2022/23
			£641,938.48	

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

7. Available Funds and potential future spend

7.1. Officers at the Council have identified a programme of infrastructure projects to the value of £829,744.78, 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 £468,615.83 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	Transport CGP	£64,234.18	2024/25	CBC	Process to Commence
Transport	CGP MRJ	£56,688.74	2024/25	CBC	Process to Commence
Transport	CGP Three Bridges	£60,000.00	2024/25	CBC	Process to Commence
Transport	Bus Stop Contribution - Steers Lane	£20,845.92	2023/24	CBC	Process to Commence
Transport	Car Club	£2,343.00	2024/25	CBC	Process to Commence
Transport	Travel Plan	£6,843.15	2024/25	WSCC	Process to Commence
Transport	Ifield Avenue Roundabout improvements	£90,928.66	2028/29	WSCC	Process to Commence
Manor Royal PR	County Oak/ Metcalf Way Pocket Parks	£1,400.00	2028/29	MRBID	Process to Commence
Manor Royal PR	Public realm improvements Crawter's Brook	£22,846.00	2028/29	MRBID	Process to Commence
Manor Royal PR	Gateway 2 Project/ street furniture in zone 3	£9,960.30	2028/29	MRBID	Process to Commence
Library	Business/ Inform services, Crawley Library	£26,455.33	2028/29	WSCC	Process to Commence
Open Space	Allotments	£26,072.25	2026/27	CBC	Process to Commence
Open Space	Halley Close	£15,000.00	2023/24	CBC	Delegated Process Underway
Open Space	Plantain Crescent	£15,000.00	2023/24	CBC	Delegated Process Underway
Open Space	Bowness Close	£18,000.00	2023/24	CBC	Delegated Process Underway
Open Space	Unsupervised Play	£100,783.58	2023/25	TBC	Process to Commence
Open Space	Amenity green space within Three Bridges	£2,119.83	2023/25	CBC	Process to Commence
Town Centre	Town Centre CGP	£12,232.88	2024/25	CBC	Process to Commence
Town Centre	Art within the Town Centre	£40,000.00	2024/25	CBC	Process to Commence
Fire	Breathing Equipment	£50,000.00	2029/30	WSCC	Process to Commence
CCTV	TC CCTV maintenance	£28,325.00	2025/26	CBC	Process to Commence
CCTV	Mobile CCTV Dan	£4,965.96	2025/26	CBC	Process to Commence
Tree Contribution	Tree Programme 202223 x 98	£68,600.00	2022/23	CBC	Process to Commence
Tree Contribution	Tree Programme Tilgate	£50,400.00	2022/23	CBC	Process to Commence
Tree Contribution	Tree Programme 202223 x 51	£35,700.00	2022/23	CBC	Process to Commence

£829,744.78

8. Summary of S106 Monies

8.1. The table below provides an overall overview of the S106 monies spent, received, and committed in Q2 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 01.07.22	Received Q2 2022/23	S106 Spend Q2 2022/23	Committed prior to Q2 2022/23 Project Ongoing	Committed Q2 2022/23	Provisionally Allocated Q2 2022/23	Uncommitted/ not Provisional Allocation 30.09.22	Total Balance
Transport	£830,698.10	£0.00	-£689.15	£521,770.44	£0.00	£301,883.65	£6,354.86	£830,008.95
Manor Royal PR	£182,001.57	£0.00	£0.00	£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	£475,272.91	£0.00	-£2,700.00	£95,051.61	£149,045.43	£176,975.66	£51,500.21	£472,572.91
Town Centre	£161,643.85	£0.00	-£84,294.49	£25,116.43	£0.00	£52,232.88	£0.05	£77,349.36
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	£1,265,984.52	£0.00	£0.00	£0.00	£1,265,984.52	£0.00	£0.00	£1,265,984.52
Tree Contribution	£262,050.39	£0.00	£0.00	£0.00	£0.00	£154,700.00	£107,350.39	£262,050.39
Total	£3,589,957.89	£0.00	-£87,683.64	£788,883.69	£1,415,029.95	£829,744.78	£468,615.83	£3,502,274.25

9. Background Information

The last report to Planning Committee: [PES/401](#)

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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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