

## Crawley Borough Council

### Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room C - New Town Hall**, on **Monday, 6 February 2023** at **7.30 pm**

Nightline Telephone No. 07881 500 227

A handwritten signature in black ink, appearing to read "A. Burrett", is centered on the page.

**Chief Executive**

**Membership:**  
Councillors

R D Burrett (Chair), Y Khan (Vice-Chair), Z Ali, K L Jaggard, K Khan, 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
<b>1. Apologies for Absence</b>		
<b>2. Disclosures of Interest</b>  In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.		
<b>3. Lobbying Declarations</b>  The Planning Code of Conduct requires 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.		
<b>4. Minutes</b>  To approve as a correct record the minutes of the Planning Committee held on 10 January 2023.		5 - 6
<b>5. Planning Application CR/2022/0187/FUL - Land to the North of Fleming Way (Eastman House and Former Flight Training Centre), Manor Royal, Crawley</b>  To consider report PES/410a of the Head of Economy and Planning.  <b>RECOMMENDATION</b> to PERMIT.	Langley Green & Tushmore	7 - 34
<b>6. Planning Application CR/2022/0503/FUL - 1-19 (odds) Crompton Way, Northgate, Crawley</b>  To consider report PES/410b of the Head of Economy and Planning.  <b>RECOMMENDATION</b> to PERMIT.	Langley Green & Tushmore	35 - 58

**7. Supplemental Agenda**

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

**With reference to planning applications, PLEASE NOTE:**

Background paper - Crawley Borough Local Plan 2015-2030

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## Crawley Borough Council

### Minutes of Planning Committee

Tuesday, 10 January 2023 at 7.30 pm

#### Councillors Present:

R D Burrett (Chair)

Y Khan (Vice-Chair)

Z Ali, K L Jaggard, S Malik, M Mwagale, S Pritchard, S Raja and S Sivarajah

#### Also in Attendance:

Councillor K Khan

#### 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

#### Apologies for Absence:

Councillor S Mullins

#### 1. Disclosures of Interest

The following disclosures of interests were made:

Councillor  
Burrett

Tree Preservation Order  
Application  
CR/2022/0709/TPO – 24  
Walton Heath, Pound Hill  
(Minute 5)

Personal Interest – a West  
Sussex County Councillor.

#### 2. Lobbying Declarations

No lobbying declarations were made.

#### 3. Minutes

The minutes of the meeting of the Planning Committee held on 5 December 2022 were approved as a correct record and signed by the Chair.

## 4. **Tree Preservation Order Application CR/2022/0623/TPO - Front Garden of 13 Keymer Road, Southgate**

The Committee considered report [PES/409a](#) of the Head of Economy and Planning which proposed as follows:

Oak – crown reduction of a maximum of 1.5 metres to nearest appropriate growth points. Removal of deadwood (amended description).

Councillors Burrett and Jaggard declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for containment pruning to the crown of an oak tree which had become overgrown and was preventing light from entering nearby residential properties.

The Committee then considered the application.

### **RESOLVED**

Consent subject to the conditions set out in report PES/409a.

## 5. **Tree Preservation Order Application CR/2022/0709/TPO - 24 Walton Heath, Pound Hill**

The Committee considered report [PES/409b](#) of the Head of Economy and Planning which proposed as follows:

False acacia (T1) – fell due to excessive lean across highway and footpath.  
Cherry prunus (T2) – fell due to disease and proximity to highway and footpath.

Councillors Burrett and Jaggard declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for the felling of two trees which were in decline and were considered unsafe. A request for the works had been made to the applicant by the Highways authority to ensure the adjacent road and pavement remained safe for public use.

The Committee then considered the application and agreed that the reasons for felling were justified. It was confirmed that the two replacement trees would automatically be subject to Tree Preservation Orders.

### **RESOLVED**

Consent subject to the conditions set out in report PES/409b.

### **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 7.44 pm.

**R D Burrett (Chair)**

# Agenda Item 5

**CRAWLEY BOROUGH COUNCIL**  
**PLANNING COMMITTEE - 6 February 2023**  
**REPORT NO: PES/410(a)**

**REFERENCE NO: CR/2022/0187/FUL**

**LOCATION:** [LAND TO THE NORTH OF FLEMING WAY \(EASTMAN HOUSE AND FORMER FLIGHT TRAINING CENTRE\), MANOR ROYAL, CRAWLEY](#)

**WARD:** Langley Green & Tushmore

**PROPOSAL:** DEMOLITION OF EXISTING BUILDINGS TO PROVIDE TWO COMMERCIAL BUILDINGS (UNITS A AND B) FOR STORAGE AND DISTRIBUTION (B8) USE WITH ANCILLARY OFFICES, WITH ASSOCIATED ENABLING WORKS, ACCESS (INCLUDING NEW ACCESS FOR UNIT A OFF HYDEHURST DRIVE), PARKING AND LANDSCAPING

**TARGET DECISION DATE:** 20 June 2022

**CASE OFFICER:** Mr H. Walke

**APPLICANT'S NAME:** CP Logistics UK Crawley Propco Ltd / Panattoni UK

**AGENT'S NAME:** Turley

## **PLANS & DRAWINGS CONSIDERED:-**

<b>Drawing Number</b>	<b>Revision</b>	<b>Drawing Title</b>
21279 P0001 Rev	C	Location Plan
21279 P0002 Rev	J	Proposed Masterplan
21279 P0005 Rev	C	Unit B Office Plan
21279 P0007 Rev	A	Units A & B Roof Plan
21279 P0003 Rev	E	Warehouse Plan
21279 P0004 Rev	D	Unit A Office Plan
21279 P0006 Rev	E	Proposed Elevations
21279 P0009 Rev	C	Refuse Store Details
21279 P0010 Rev	C	Proposed Fence Plan
21279 P0011 Rev	C	Proposed External Surfaces Plan
21279 P0008 Rev	C	Cycle Shelter Details
21279 P0012 Rev	A	Indicative Warehouse Section
21279 P0013 Rev	A	Existing Site Elevations
21279 P0014 Rev	A	Existing Site Plan
2214 21 DR 02	C	Landscape Concept Sections
2214 21 DR 01	F	Landscape Concept Proposal
210911-CPW-XX-00-DR-E-21001 S0 Rev	P03	External Lighting Layout with Lux Plots
21279 P0015	A	Unit A Site Sections
21279 P0016	B	Fire Hydrant Location Plan
FWC-BWB-DGT-XX-DR-C-0630-D2	T01	Earthworks-D2-T01.pdf
FWC-BWB-DDG-XX-DR-0501		Drainage Layout Sheet 1
FWC-BWB-DDG-XX-DR-D-0502		Drainage Layout Sheet 2
FWC-BWB-DDG-XX-DR-D-0503		Drainage Layout Sheet 3

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

1.	GAL Planning Department	Object on safeguarding grounds in relation to potential development of a second runway.
2.	GAL Aerodrome Safeguarding	No objection subject to conditions.
3.	Environment Agency	Comments provided
4.	WSCC Highways	No objection subject to conditions
5.	National Air Traffic Services (NATS)	No objection subject to conditions.
6.	Thames Water	No objection
7.	Police	Comments provided
8.	CBC Drainage Officer	No objection
9.	CBC Planning Arboricultural Officer	No objection subject to conditions
10.	UK Power Networks	No response received
11.	CBC Environment Team	No response received
12.	CBC Contaminated Land Officer	No objection
13.	CBC Environmental Health Officer	Comments provided
14.	Southern Water Ltd	Comments provided
15.	CBC Energy Efficiency & Sustainability	Comments provided
16.	Listed Building Officer	Comments provided
17.	WSCC Lead Local Flood Authority	Comments provided
18.	CBC Manor Royal	Comments provided
19.	CBC Air Quality Officer	No objection subject to conditions
20.	The Gatwick Diamond Initiative	No response received
21.	Manor Royal Business District	Support the application
22.	WSCC - Public Rights of Way	Comments provided
23.	Place Services - Archaeology	Comments provided
24.	Place Services – Ecology	Comments provided
25.	WSCC Fire and Rescue	Comments provided

## **NEIGHBOUR NOTIFICATIONS:-**

### **FIRST CHOICE HOUSE:**

115,202,203,205,210,217,406,412,414,514,105,108,212,216,306,311,313,316,411,502,509,510,513,400,201,208,211,304,305,307,404,405,504,505,511,300,103,106,113,116,207,209,301,303,413,508,517,100,101,102,111,113A,308,310,312,317,403,415,503,506,500,110,206,213,214,314,401,408,507,516,114,200,309,315,402,407,410,416,501,104,107,109,112,117,204,215,302,409,417,512,515,

IBIS HOTEL IBIS GATWICK HOTEL

UNIT 100, Focal Point.

## **RESPONSES RECEIVED:-**

An objection has been received from an occupant of one of the flats in First Choice House on the grounds of harm to quality of life for residents and reducing the building's attractiveness to tenants. They state that the proposed 18 metre high building would block sunlight to First Choice House, cause noise and light disturbance throughout the day and increased truck movements.

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

This is a major development.

## **THE APPLICATION SITE:-**

- 1.1 The site is situated at the western end of Fleming Way, between Hydehurst Lane, Fleming Way and London Road. It has an area of approximately 4.3 hectares. The site currently contains a former car showroom, with a floorspace of 8,620 sqm, and a former flight training centre, with a floorspace of 5,234 sqm. The existing buildings appear to be predominantly, if not wholly, vacant. The site is currently accessed solely from Fleming Way.



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- 1.2 There are three Tree Preservation Orders affecting the site. One Tree Preservation Order (The Crawley Borough (Fleming Way No.1) TPO 1987) covers two groups of trees running east-west across the central part of the site. There are also several individually protected trees in the northern part of the site, in a row running broadly parallel to Hydehurst Lane (TPO ref: The Crawley Borough Council (Hydehurst Lane No.1) TPO No.16.6.58 of 2014). A further Tree Preservation Order 07/2015 covered two groups of trees (Leyland Cypress and Monterrey Cypress) on the Fleming Way frontage, either side of the vehicular access. Consent to remove these sixteen trees was granted on 23 December 2015 (CR/2015/0784/TPO), subject to the replanting of 16 hornbeam trees along the frontage within one year. The replacement trees have not been planted.
- 1.3 Unit 100 Focal Point, a two storey building occupied by DPD, on Fleming Way and the Welland Medical building on Hydehurst Lane lie to the east. To the west of the site is First Choice House, a 6-storey converted office to residential building with habitable windows facing the site. Ibis Hotel lies to the north-west of the site. Astral Towers lies to the west across London Road. Opposite the site to the south across Fleming Way is the Elekta site.
- 1.4 Running north-south along the eastern boundary of the site is a public footpath. Further north, some 100 metres away, is a Medieval Moated Site (Gatwick Manor Inn) which lies within an Archaeological Notification Area. Gatwick Manor is also a Grade II listed building.
- 1.5 The site lies within the Manor Royal Main Employment Area as defined in the Local Plan. In economic and employment terms, Manor Royal is extremely important to Crawley and the wider Gatwick Diamond area. The estate is covered by Article 4 directions removing permitted development rights for changes of use to residential (C3) uses from office (B1a), storage and distribution (B8) and light industrial (B1c).
- 1.6 The site also lies within a Priority Area for District Energy Networks as set out in the Local Plan. The north-western part of the site, around the Hydehurst Lane/London Road junction, falls within the Gatwick Airport safeguarded area. The Upper Mole Valley Farmlands Rural fringe lies to the north and west of the site, on the opposite sides of Hydehurst Lane and London Road. The site also lies within the Long Distance View Splay from Target Hill, which lies to the south-west, and from Tilgate Park, which lies to south-east. The site is shown as contaminated land on Council records.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 The proposal was originally for the demolition of the existing buildings and the subsequent redevelopment of the site to form two units for flexible uses within Class E(G)(III) (Commercial, Business and Service use appropriate in a commercial, business or service locality), B2 (General Industrial) and/or B8 (Storage and Distribution). Unit A would have a floor area of over 5,850 sqm and Unit B a floor area of over 12,100 sqm, with both units having ancillary office accommodation. Since submission of the application, for parking and water neutrality reasons, the applicant has confirmed a change in description. They are now only seeking permission for storage and distribution (B8) use with ancillary offices.
- 2.2 The proposed warehouses would be physically attached to each other and located centrally within the site. They would measure around 192 metres long north to south and a maximum of 98 metres north to south. The maximum height to the top of the curved roof would be 18 metres. The warehouses would have parking areas on all sides, with a service yard for HGVs situated to the east of the proposed buildings. Access to the larger building, Unit B, would remain from Fleming Way. New accesses from Hydehurst Lane would be formed to serve Unit A.
- 2.3 A total of 207 car parking spaces are proposed, located to the north, west and south of the proposed warehouses. These would include eleven disabled parking spaces and indicatively 44 electric vehicle spaces. There would be 9 HGV parking spaces within the service yard for Unit A and 48 HGV parking spaces for Unit B (both figures including the 22 loading bays for the two units). Secure cycle parking to accommodate 90 cycles and 24 motorcycle spaces are also proposed.

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

- Arboricultural Impact Assessment
- Air Quality Assessment
- Archaeological Assessment and surveys
- BREEAM Pre-Assessment
- Built Heritage Statement (and later Addendum)
- Design and Access Statement
- Ecology assessments and surveys, including Biodiversity Metric Assessment
- External lighting report
- Flood Risk Assessment
- Framework Travel Plan
- Geo-Environmental Assessment and Remediation Strategy
- Noise Impact Assessment
- Planning Statement
- Sustainability Statement
- Sustainable Drainage Statement
- Transport Assessment (and later Addendum)
- Utilities Report
- Water Neutrality Report.

2.5 The proposal has been revised since submission, with changes to the building design, retention of a greater number of existing trees and additional work on ecology and biodiversity. The changes to the building relocated the proposed office space and altered the elevations. Some of the existing protected trees running east-west at the centre of the site are now proposed to be retained, with retaining walls proposed to facilitate this. In support of these changes, the applicant has provided:

- Design Addendum
- Revised Surface Water Drainage Design
- Arboricultural Method Statement
- Revised Arboricultural Impact Assessment
- Various Biodiversity documents.

## **PLANNING HISTORY:-**

3.1 There have been a number of previous applications within the current application site. Many are minor, such as for advertisements and minor alterations. The following form the more significant parts of the site's planning history:

Z/49/167 – USE OF LAND FOR INDUSTRIAL PURPOSES. Permitted

CR/516/79 – DETAILED APPLICATION FOR INDUSTRIAL, MAINTENANCE AND FLIGHT TRAINING CENTRE. Permitted

CR/492/80 – INDUSTRIAL MAINTENANCE AND FLIGHT TRAINING CENTRE. Permitted

CR/538/85 – EXTENSION TO TRAINING CENTRE WITH ASSOCIATED CAR PARKING. Permitted

CR/660/85 – OUTLINE APPLICATION FOR EXTENSION TO TRAINING CENTRE. Permitted

CR/451/86 – APPROVAL OF RESERVED MATTERS FOR AN EXTENSION TO FLIGHT TRAINING CENTRE. Permitted

CR/1991/0113/FUL – EXTENSION TO BRITISH CALEDONIAN FLIGHT TRAINING CENTRE, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS. Refused, subsequent appeal allowed.

CR/1994/0324/COU – CHANGE OF USE TO B1/B8 LIGHT INDUSTRIAL AND STORAGE. Permitted

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CR/1996/0608/RUP – RENEWAL OF CR/1991/01113/FUL FOR EXTENSION TO FLIGHT TRAINING CENTRE, CAR PARKING, LANDSCAPING AND ASSOCIATED WORKS. Permitted

CR/1997/0737/COU – CHANGE OF USE TO B2, B1 AND B8. Permitted

CR/2002/0341/COU – CHANGE OF USE TO CAR RENTAL. Permitted 12/07/02.

CR/2007/0693/COU - CHANGE OF USE OF WAREHOUSE & OFFICES TO CAR STORAGE, SALES, WORKSHOP & PARKING. Permitted 22/01/08.

CR/2008/0622/FUL - TEMPORARY CONSENT FOR A 3 YEAR PERIOD FOR ERECTION OF MODULAR OFFICES WITHIN REAR CAR PARK. Permitted 28/11/08.

## **PLANNING POLICY:-**

### **National Planning Policy Framework**

4.1 The updated National Planning Policy Framework (NPPF) published in July 2021 states that the purpose of the planning system is to contribute to the achievement of sustainable development. In achieving this the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.

- Section 2 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land, helping to improve biodiversity and addressing climate change.
- Section 6 – ‘Building a strong, competitive economy’ emphasises the need for the planning system to help create conditions where businesses can invest, expand and adapt in order to support the need for economic growth and productivity. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Development that is not well designed should be refused.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change. In addition to supporting the increased use of renewable and low carbon energy and reducing greenhouse gas emissions, including complying with local sustainability requirements, flood risk should not be increased elsewhere and sustainable drainage systems should be incorporated in major developments.
- Section 15 – Conserving and enhancing the natural environment. Planning policies and decisions should contribute to and enhance the natural and local environment, including minimising impacts on and providing measurable net gains for biodiversity, including by establishing coherent ecological networks, and enhanced public access. Development should not add to or be at risk from pollution.

### **Crawley Borough Local Plan 2015-2030**

4.2 The following Crawley Borough Local Plan (adopted December 2015) policies are relevant:

- 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

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which is sustainable and work proactively with applicants, stakeholders and other partners to find solutions. Development will be supported where it meets strategic objectives including becoming carbon neutral and addressing climate change; complementing the town's compact character and neighbourhood principles; respecting heritage; protecting and enhancing Green Infrastructure; creating a safe environment; providing for social and economic needs; and according with the Plan's policies and objectives.

- Policy CH2 (Principles of Good Urban Design) Proposals must support locally distinctive development patterns, landscape character and heritage; create defined frontages and public/private areas; create safe and attractive routes for all; connect places for people and integrate land use and transport; provide recognisable routes and landmarks; consider flexible development which responds to changing needs; provide diversity and choice to create viable places and meet local needs.
- Policy CH3 (Normal Requirements of all New Development) Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by Design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and, where any are lost, replacement tree planting should accord with the standards set out in policy CH6.
- Policy CH4 (Comprehensive Development and Efficient use of Land) Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development.
- Policy CH6 (Tree Planting and Replacement Standards) Sets out that where development would result in the loss of trees, these should be identified and replaced to mitigate the visual impact from the loss of canopies. The requirement for replacement trees is based on the size of the trees to be lost and this is expected to take place on site or be subject to commuted payments for planting elsewhere. The Manor Royal Design Guide sets out tree planting requirements for that area.
- Policy CH8 (Important views) Requires that the important views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The site lies within the Long Distance View Splays from Target Hill and Tilgate Park.
- Policy EC1 (Sustainable Economic Growth) This policy supports Crawley's role as the key economic driver for the Gatwick Diamond area and supports business growth. The policy seeks to ensure that Crawley's recognised economic role and function is maintained and enhanced through building upon and protecting the established role of Manor Royal as the key Business (B1), General Industry (B2) and Storage and Distribution (B8) location for Crawley and ensuring that it is the focus for sustainable economic growth. The policy sets out the need for approximately 23 hectares of employment land over the plan period.
- Policy EC2 (Economic Growth in Main Employment Areas) recognises the significant contribution that the town's employment areas make to its economy and that of the wider area, and protects against net loss of employment floorspace.
- Policy EC3 (Manor Royal) Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings. Proposals that are not for B Use Class development will be permitted at Manor Royal if it can be demonstrated that they are of a scale and function that enhances the established role and business function of Manor Royal and would not undermine the business district. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.

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- Policy ENV1 (Green Infrastructure) States that Crawley's multi-functional green infrastructure network will be conserved and enhanced through a number of measures including maximising opportunities to maintain and extend infrastructure links and requiring large proposals to provide new, or create links to, green infrastructure where possible.
- Policy ENV2 (Biodiversity) All development will be expected to incorporate biodiversity features where appropriate and enhance existing features of nature conservation value around the development.
- Policy ENV6 (Sustainable Design and Construction) All development must consider how it can address sustainability through reducing energy consumption, using renewable and low carbon energy, improving existing buildings when adding extensions, minimising carbon emissions during development and ensuring embedded carbon is retained and considering District Heat Networks, water stress and temperature extremes. A Sustainability Statement should be submitted demonstrating how sustainability has been addressed through design and construction. New non-domestic buildings should achieve BREEAM Excellent for water and energy where technically and financially viable.
- Policy ENV7 (District Energy Networks) Major developments within a Priority Area for District Energy Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area.
- Policy 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) Non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- Policy ENV10 (Pollution Management and Land Contamination) Ensures that new development does not increase levels of pollution or hazards and is appropriate to its location. Where a site may be at risk from contaminants or hazardous materials, information must be provided on how the risk will be addressed and pollution treated or removed.
- Policy ENV11 (Development and Noise) 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. For transport sources, the Unacceptable Adverse Effect is considered to occur where noise exposure is above 66dB LAeq,16hr (57dB LAeq,8hr at night).
- Policy ENV12 (Air Quality) States that proposals that do not have a negative impact on air quality will normally be permitted.
- Policy IN1 (Infrastructure Provision) Development must be supported by necessary on and off site infrastructure, including mitigation where needed, to avoid harmful impact upon existing infrastructure.
- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires proposals to be connected to high quality communications infrastructure.
- Policy IN3 (Development and Requirements for Sustainable Transport) Development should be focussed to achieve sustainable transport through use of public transport, walking and cycling. Development should meet the access needs generated and not have unacceptable impact on congestion or highway safety. Proposals should be supported by a Transport Statement/Assessment.
- Policy IN4 (Car and Cycle Parking Standards) Proposals should provide the appropriate car, lorry, motorcycle and cycle parking required by supplementary guidance.

## Submission Draft Crawley Borough Local Plan 2021-2037

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

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy SD2: Enabling Healthy Lifestyles and Wellbeing
- Policy CL1: Neighbourhood Principle
- Policy CL2: Making Successful Places - Principles of Good Urban Design

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- Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
- Policy CL4: Compact 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 DD4: Tree Replacement Standards
- Policy DD6: Aerodrome Safeguarding
- Policy HA1: Heritage Assets
- Policy HA4: Listed Buildings and Structures
- Policy HA7: Heritage Assets of Archaeological Interest
- Policy IN1: Infrastructure Provision
- Policy IN3: Supporting High Quality Communications
- Policy EC1: Sustainable Economic Growth
- Policy EC2: Economic Growth in Main Employment Areas
- Policy EC3: Manor Royal
- Policy EC4: Strategic Employment Location
- Policy EC5: Employment and Skills Development
- Policy EC11: Employment Development and Residential Amenity
- Policy GAT2: Safeguarded Land
- Policy GI1: Green Infrastructure
- Policy GI3: Biodiversity and Net Gain
- Policy SDC1: Sustainable Design and Construction
- Policy SDC2: District Energy Networks
- Policy SDC3: Tackling Water Stress
- Policy EP1: Development and Flood Risk
- Policy EP3: Land and Water Quality
- Policy EP4: Development and Noise
- Policy EP5: Air Quality
- Policy EP6: External Lighting
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

## Supplementary Planning Documents

- 4.4 The following supplementary planning documents are also applicable to the development of this site:
- 4.5 **Planning and Climate Change SPD** – Adopted October 2016 – This provides further guidance on addressing the sustainability policies within the Local Plan, with examples of best practice and how to demonstrate compliance with the policies.
- 4.6 **Green Infrastructure SPD** – Adopted October 2016 - This SPD provides further guidance on new and replacement tree planting, protection of existing trees, biodiversity and wider landscaping issues.
- 4.7 **Urban Design SPD** – Adopted October 2016 - This document provides further advice on the principles of good urban design in the Crawley context, highlighting, in particular, the importance of massing and materials, public realm, street design, parking and sustainable design.

For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings to the street is encouraged along with opportunities to improve the urban environment and use of landscaping.

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

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4.8. **Manor Royal Design Guide SPD and Public Realm Strategy** – Adopted July 2013 – This document aims to support economic growth in Manor Royal, providing guidance to ensure that new development makes a significant contribution to the uplift of the area and secures delivery of high quality development which supports the key business function. It requires all development to demonstrate the following:

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

The document emphasises the importance of landscaping as a key consideration in creating a sense of place for Manor Royal and improving the quality of the public realm. A key approach to delivering these improvements is achieving robust and consistent frontages to improve the quality of the environment. It requires parking and servicing to be adequate to meet the needs of the development and to consider landscaping and seek to reduce monotonous surfacing of parking areas. Boundary treatments must be appropriate in scale and context, with landscaping to reduce the visual impact of fences and barriers.

Fleming Way and London Road are identified as primary roads. The site lies to the north of Fleming Way. With regard to that road, the SPD states:

*“In general terms, the width of the existing carriageway is 11.5m carriageway with grassed highway verges varying in depth from 1 to 5m.*

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

The south-west corner of the site falls within Gateway 3. The SPD states that:

*“For all Gateway sites, which form entry points into the Manor Royal estate, development should ensure that these important interchanges reflect the design and public realm aspirations and set the tone for the rest of Manor Royal. Development should show how they achieve this through:*

- *Strong high quality landmark buildings whose scale, height and massing defines and holds the edges of the gateway space*
- *Active frontages and architecturally appropriate facades*
- *The main areas of car parking to be located behind the landmark building, and other frontage car parking softened in line with minimum depth of landscaping and tree planting requirements for primary and secondary roads*
- *Individual feature and boulevard trees of specimen quality, supplied at semi-mature size, to soften and fragment perimeter built form and to define internal spaces*
- *Bold and distinctive instant mature hedging, shrub and groundcover planting with instant impact at “day one”*
- *Art and signage interventions that enforce gateway identity*
- *Potential inclusion of feature lighting*
- *General desire to reduce highway clutter, including barriers and signage, and to upgrade the remaining furniture”*

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- 4.9. **Developer Contributions Guidance Note** – Published July 2016 – This sets out the Council's approach to developer contributions following the introduction of the Community Infrastructure Levy. It provides details of the CIL charges and when S106 contributions will be sought. The document also sets out the Manor Royal contribution requirement towards the public realm in this area, which is £2 per square metre.

## **PLANNING CONSIDERATIONS:-**

- 5.1. The main issues for consideration are:

- Principle of development
- Design and appearance
- Neighbouring amenity
- Transport, highways and parking
- Energy and sustainability
- Trees and landscaping
- Ecology
- Air quality
- Contaminated land
- Aviation
- Archaeology
- Drainage and flooding
- Water neutrality
- Developer contributions

### **Principle of development**

- 5.2. The application site is situated within the Manor Royal Main Employment Area as defined by Local Plan economic policies EC1, EC2 and EC3. Policy EC3 places a clear focus on the delivery of business uses in Manor Royal, seeking to protect and reinforce its core business function by promoting development within the B use classes, and encouraging the reuse and intensification of land or buildings within the main employment area.
- 5.3. The proposed development would involve the demolition of the existing buildings, which total 13,854 square metres in floorspace. They would be replaced by two new buildings with an increased total floorspace of 17,977 square metres. Originally, flexible uses were proposed covering use classes E(G)(iii), B2 – light industrial and B8 – storage and distribution. However, following concerns raised by officers about parking and water neutrality, the proposed use is now simply storage and distribution (B8) with ancillary offices. The smaller unit, Unit A, would have a floorspace of 5853 sqm (5267 sqm of commercial use with 585 sqm of ancillary offices) The larger unit, Unit B, would have a floorspace of 12124 sqm (10911 sqm of commercial use with 1212 sqm of ancillary offices). This represents an increase of 4123 sqm of employment floorspace. It is considered that, in retaining and adding to the available supply of business floorspace, the proposal is consistent with policies EC1, EC2 and EC3 of the Local Plan and that the application reflects wider NPPF objectives to support business and plan positively to encourage sustainable economic growth.
- 5.4. Manor Royal BID has written in support of the application. They state that the proposal would replace out-dated vacant units with modern units that are more likely to be occupied and create employment opportunities. They comment that the scheme should form a landmark building in keeping with the Design Guide, should contain high quality landscaping with ecology zones and seating/small park areas. They encourage the developer to engage on sustainability/energy issues and sustainable transport.
- 5.5. In principle therefore, the redevelopment of this currently vacant site and the proposed increase in employment floorspace is welcomed and is in accordance with national and local planning policies.

### **Design and appearance**

- 5.6. Policies CH2, CH3 and EC3 of the Local Plan require that all development should contribute positively to the overall setting and environment of Manor Royal through high quality design and landscaping.



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Policy EC3 specifically makes reference to the Manor Royal Design Guide SPD and affords that document significant weight. The design and landscaping of any development at this site would need to be carefully considered, particularly given its visually prominent location at one of the designated gateways to the Manor Royal estate defined in the SPD. The SPD gives detailed advice on issues such as the relationship to public highways and landscaping.

- 5.7. The site is located north of the Fleming Way Primary Road, as defined in the SPD. Its south-west corner, on the Fleming Way roundabout, falls within the defined Gateway 4. The Manor Royal SPD states that buildings fronting Fleming Way should be set back from the site boundary by a minimum of 10m and that the minimum depth of on-site planting should be 4m. It specifies that this should form shrub planting across the entire Primary Road frontage with fastigate trees at 15m spacing. Regarding London Road, the SPD states that as

*“highway verges are narrow or non-existent, the potential for the necessary improvements to the public realm are restricted to the roundabout and traffic island at the junctions with Fleming Way and Manor Royal respectively. To mitigate the detrimental impact of the road and contribute to the creation of a higher quality streetscene, the minimum depth of on-site frontage planting requirement on the eastern side of London Road is for 10m of planting along the entire primary route frontage. The planting scheme should include a double row of fastigate hornbeam trees, continuing the improvement created on the Thales site.”*

- 5.8. The existing two storey buildings make little positive contribution to the visual appearance of the area, although they do have glazed elevations fronting Fleming Way and London Road which provide some active frontage. The buildings have no significant architectural merit and there is no objection on design grounds to their redevelopment. There are a number of trees along the Fleming Way, London Road and Hydehurst Lane frontages, along with many trees within the site. Many of these trees are visually prominent and/or substantial and mature. The trees help to soften the character of this part of the estate. Many of the trees within the site are also protected by Tree Preservation Orders.
- 5.9. The proposed warehouse building (Unit B) would be located between 22.5 metres (eastern end) and 16.5 metres (western end) from the pavement along Fleming Way. The building would be set back further from London Road (47.5 metres immediately south of First Choice House and 30 metres at the south-west corner of Unit B). These distances comply with the Manor Royal SPD. The areas between the building and footpaths would include car, motorcycle and cycle parking. That is allowed by the SPD, provided that an adequate landscape buffer is included.
- 5.10. Despite the siting of the proposed buildings being considered acceptable in relation to surrounding roads, officers did raise a number of design concerns. The applicant subsequently slightly amended the scheme and provided additional information, including a Design Addendum.
- 5.11. In terms of materials, the buildings would have cladding panels, with varying profiles and a mix of horizontal and vertical orientations, in blue and grey colours. The blue colour would be used to highlight the office elements of the buildings. Darker grey panels would be used to break up the side elevations, with lighter grey cladding at higher levels to give a more recessive appearance. The roof would have grey cladding with some translucent panels to provide natural light internally. The roof would also incorporate solar PV and thermal panels. Due to the shallow curved roof form, these materials would have very limited public visibility.
- 5.12. Unit B is proposed to be laid out so that its ancillary office floorspace is located on the south-west corner of the building, with windows over two floors facing London Road and Fleming Way. The two storey glazed entrance would be located on an angled corner of the building and the wider two storey office element would project out from the taller warehouse part of the building along the west elevation. The projection, the fenestration including the glazed entrance door with office above, along with the blue cladding and the grey frames surrounding areas of glazing, would draw attention to this prominent part of the building. This would also form the pedestrian entrance. The blue clad office space would then extend to the east along Fleming Way and to the north along London Road. The taller warehouse element of the building would be set back and clad in a light grey colour.
- 5.13. Unit A has also been revised in terms of its public visibility. The office element previously wrapped around the corner and partially faced the rear of the Ibis Hotel. It has now been relocated such that it

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forms the bulk of the north elevation facing Hydehurst Lane. This significantly enhances the building in terms of active frontage and helps to break up the elevation through the amount of fenestration and the blue cladding.

- 5.14. The east elevation of the two units would contain the loading bays. These would be set within darker panels too and would have limited public visibility, although would be seen from the adjoining public footpath.
- 5.15. Inevitably with a warehouse building, there are significant lengths of blank walls that do little to enhance the appearance of the building. As far as possible, these have been sited to minimise their public visibility and some darker grey panels are proposed to break up these elevations.
- 5.16. The proposed building is extremely large, would contain extensive sections of blank façade and, as such, cannot be described as particularly attractive. Whilst the proposal is for a substantial and relatively plain building, this reflects the proposed warehouse function. The applicant has attempted to use the building's form, internal layout, materials and colouring in an appropriate way to address the most prominent parts of the site. It is considered that the revised design and layout of the building and site would be appropriate within the context of the town's main employment area. The prominent corner part of the site on the Fleming Way/London Road junction and the other most more publicly visible elevations have been visually improved during the course of the application. As such, the proposal is now considered to be acceptable in design terms and would accord with the relevant policies within the Crawley Borough Local Plan and the Manor Royal SPD.

## Neighbouring amenity

- 5.17. The development site lies within a Main Employment Area. Local Plan Policy EC4 seeks to manage the relationship between employment development and residential amenity. Here, surrounding uses are generally commercial and therefore less sensitive to impact from the proposal. However, First Choice House to the west of the site has been converted to flats and an Ibis Hotel lies to the north-west. First Choice House would be thirty metres from the proposed building at its closest point and the hotel would be 23 metres away.
- 5.18. First Choice House is six storeys high and has many windows facing towards the application site. The Urban Design SPD seeks a minimum distance of thirty metres between windows in adjoining buildings of three storeys or more. The proposed scheme would comply with this requirement in terms of distance. The proposed building would also have no windows directly facing First Choice House. The outlook for residents would be significantly changed, becoming more enclosed and facing onto a tall, blank elevation. The proposed warehouse building would be located to the east of the rear windows in First Choice House and could cause some morning overshadowing. However, given the separation distances and the lack of windows in the nearest part of the proposal, it is not considered that significant overlooking, overshadowing or overbearing impact would result or that refusal could be sustained on that basis.
- 5.19. The hotel has a ground floor with five floors of guest accommodation above. Windows for the upper five floors face the application site on the hotel's east elevation. The southern part of the hotel's east elevation would be 23-28 metres from the proposed building. Following revisions to the design, Unit A of the proposed building have very limited office windows facing towards the hotel. Unit A's primary outlook would be towards Hydehurst Lane. Given the limited office glazing, distances between the buildings and the temporary nature of the hotel's occupation, it is not considered that significant adverse impact upon hotel guests would result.
- 5.20. To the north-east of the site, on Hydehurst Lane, is the Welland Medical building. South of that and to the east of the application site is a DPD depot warehouse building. The DPD building has no windows facing the application site. The Welland Medical building does have windows facing the site, but from a distance of around 100 metres away.
- 5.21. Fleming Way lies to the south of the site. The Elekta site is on the opposite side of Fleming Way, with its buildings around 50-60 metres away from the proposal. North of the site is Hydehurst Lane. There are no buildings on the opposite side of the road at present, but there is an outstanding planning application for three commercial units (CR/2021/0167/FUL). The nearest proposed would face the

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proposed service area and would have no elevations directly facing the proposed buildings on the current application site.

- 5.22. Overall, the relationship to adjoining commercial buildings is considered fairly typical of a major employment location like Manor Royal. It is not considered that any significant disturbance or loss of amenity would be caused to the adjoining occupiers, including the more sensitive residential and hotel uses.

## Transport, highways and parking

- 5.23. The proposed development would have one vehicular access from Fleming Way, near the south-east corner of the site, which would be shared by HGVs and other vehicles accessing Unit B. On Hydehurst Lane, there would be one access for staff and visitor car parking and a second access for HGVs to the service yard. These would both serve Unit A. WSCC Highways sought some further information and are now satisfied that all the proposed accesses are acceptable. They recommend a condition to secure implementation in accordance with the agreed details.

- 5.24. The proposed development includes the following parking provision:

	HGV	Car	Motorcycle	Cycle
Unit A	9 (2 plus 7 loading bay spaces)	69 (including 4 disabled spaces and 14 EV charging spaces)	8	30
Unit B	48 (33 plus 15 loading bay spaces)	138 (including 7 disabled and 26 EV charging spaces)	16	60

- 5.25. Following revisions to the proposed uses, in part to address parking, the applicant is solely seeking planning permission for B8 (storage and distribution). In terms of cars and HGVs, the proposed Unit B meets the car parking standards for a B8 use and exceeds the HGV parking standard (24 spaces). Unit A meets the car parking standard, but is three spaces short of the HGV standard. However, WSCC Highways are satisfied that this does not raise highway safety issues and is a matter for the operator to manage. It is considered that the slight shortfall would need to be assessed by any potential tenant for the unit in terms of their specific business and operations.
- 5.26. The cycle parking standard also varies depending upon the use. The proposal includes 30 cycle spaces for Unit A and 60 cycle spaces for Unit B. The proposal complies with the requirements for a B8 use (18 spaces for Unit A and 36 spaces for Unit B). However, it does not comply with the higher number of spaces required for a B2 use (41 spaces for Unit A and 85 spaces for Unit B).
- 5.27. The Council's parking standards require motorcycle parking to be provided at 10% of the car parking requirement. The proposal provides 10% as motorcycle parking (8 spaces for Unit A and 16 spaces for Unit B), although clearly a higher level of parking overall is required for a B2 industrial use.
- 5.28. WSCC Public Rights of Way team has highlighted the existing right of way that runs north-south along the eastern boundary of the site. The right of way would be unaffected by the proposed development.
- 5.29. WSCC Highways seek a financial contribution of £7,300 towards the provision of waiting restrictions on Fleming Way and the financial contribution of £3,500 towards monitoring of the Travel Plan. These would need to be secured through a S106 agreement.
- 5.30. Overall, WSCC Highways raise no objection subject to conditions and the financial contributions. The applicant has demonstrated that the development would have safe highways accesses, address its parking and servicing needs and help to promote the use of sustainable transport. The scheme is therefore considered acceptable in highways and parking terms.

## Energy and sustainability

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- 5.31. Policy ENV6 (Sustainable Design and Construction) states that all development must consider how it can address sustainability through reducing energy consumption, using renewable and low carbon energy, improving existing buildings when adding extensions, minimising carbon emissions during development and ensuring embedded carbon is retained and considering District Heat Networks, water stress and temperature extremes. Policy ENV7 (District Energy Networks) states that major developments within a Priority Area for District Heat Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area. Policy ENV9 (Tackling Water Stress) states that non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- 5.32. The proposal is supported by a Sustainability Statement and BREEAM pre-assessments for the two units, along with water consumption calculations. The BREEAM assessments shows that an 'Excellent' rating is being targeted for the energy and water categories, as required by policy ENV6.
- 5.33. The proposed energy strategy includes the following elements:
- Air source heat pump system proposed for heating/cooling of office areas;
  - Electric panel heaters for ancillary areas;
  - 'hybrid' heat recovery ventilation for office spaces;
  - Emphasis on metering/controls to limit operational energy consumption and emissions;
  - 2,825 sqm of solar PV across the roofs of both units, generating 425kWp of electricity; and
  - 10 sqm solar thermal installation on each unit to provide hot water.
- 5.34. The development seeks to achieve a 23% reduction in CO<sub>2</sub> emissions, compared with Building Regulations standards, and a 20% reduction in energy consumption.
- 5.35. The Energy and Sustainability officer is broadly satisfied with these proposals. However, he raises some doubt about whether electricity generated would be used locally, as would be preferable under policy ENV7, or fed into the national grid. Given that the solar PV provision is fairly large, this is an important consideration. Overall though, the proposed strategy is considered broadly acceptable, subject to conditions requiring the submission of further details on the strategy and the completion of a post-construction report to verify the standards have been achieved.

## Trees and landscaping

- 5.36. The applicant submitted an Arboricultural Impact Assessment with the application. This identified and assessed 83 individual trees, ten groups of trees and two hedgerows on the site. Following discussions with officers, the scheme has been revised to save a number of the protected trees along the former county boundary to the east of the site. An updated Arboricultural Impact Assessment has been submitted to reflect this change.
- 5.37. Substantial tree loss is still proposed as part of the application. A total of 37 individual trees and seven groups of trees would be removed. Five of these trees are classed as Category A and a number of the trees to be lost are currently protected. Taking account of the stem diameters of the trees to be removed, in accordance with policy CH6 of the Local Plan, a total of 168 replacement trees would be required to mitigate for the extensive loss. The concept landscaping scheme submitted with the application proposes the planting of 56 trees. This would lead to a net shortfall of 112 trees to be replaced, although this is subject to the final landscaping scheme being agreed. If the scheme were considered acceptable, this shortfall would require a financial contribution of £78,400 for off-site provision. This could be secured through a Section 106 agreement, although officers recommend this is secured on the basis of the formula set out in the Green Infrastructure SPD rather than specifying a precise amount to allow for any changes when the landscaping scheme is finalised.
- 5.38. The proposed landscaping scheme shows a row of Hornbeam trees along the Fleming Way frontage. This accords with the Manor Royal SPD requirements and would reinstate the former row of protected trees that were removed a few years ago. The tree planting along this frontage would also be enhanced by a new indigenous hedgerow, which would also continue up the western site boundary and across parts of the Hydehurst Lane frontage. Areas of thicket mix planting (eg Hawthorn and Field Maple) and lower level ornamental shrub planting and groundcover are also proposed along the Fleming Way and London Road frontages. Additional tree planting is proposed extending north from

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centre of the eastern boundary, again with lower level planting. A number of trees, smaller indigenous species and groundcover would also be planted along the Hydehurst Lane. Overall, the concept landscaping proposes extensive planting, including native trees and smaller plants. Setting aside tree loss, it is considered to be an acceptable landscaping scheme, subject to full details being secured by condition.

- 5.39. Overall, the proposed development would result in significant tree loss on the site. Many of the existing trees are mature and substantial. It is also true that a number of the larger trees do have limited public visibility due to their locations within the site. The proposed concept landscaping scheme is an extensive proposal that would involve significant levels of new planting around the site. The adverse impact caused by the proposed tree loss will need to be considered against other material considerations in determining the planning application.

## Ecology

- 5.40. The applicant has submitted a range of documents covering ecological issues. Detailed survey work has been undertaken for key protected species, such as reptiles, Great Crested Newts, bats and dormouse. For Great Crested Newts, survey work was undertaken in October 2021. Following comments from the Council's ecologist, a further desk based assessment was also undertaken. The conclusion reached is that no Great Crested Newts are present in any waterbodies on the site or within 250 metres of the boundary. The bat survey revealed some limited use of the site by common pipistrelle and noctule bats, but no roost within any of the trees. Activity appears to be confined to foraging, predominantly along the central belt of trees. Although the reptile survey found potentially suitable habitat, no reptiles were found on the site. No dormouse or nests were recorded and the site was considered to provide limited opportunity for that species. Overall, there was limited activity on site by any protected species. An External Lighting Report was produced by the applicant, which the Council's ecologist is satisfied with in terms of minimising impact upon foraging and commuting bats. The lighting scheme proposes the use of warm white LED lights, which will minimise attractiveness to insects.
- 5.41. The applicant has also submitted a Biodiversity Metric Assessment, revised when the scheme was amended to retain trees to the east of the site, to demonstrate biodiversity net gain. The Biodiversity Metric Assessment is a methodology for assessing loss of biodiversity as a result of a development and to assess whether proposed mitigation can compensate for any loss and provide a net gain.
- 5.42. The site contains broadleaved semi-natural woodland, which falls into the blanket term of '*lowland mixed deciduous woodland Priority Habitat*.' The biodiversity loss on site has been reduced by the recent amendment to retain a number of mature trees to the east of the site.
- 5.43. Given the tree loss on site of around 0.25 hectares, the applicant has been working on a mitigation strategy to ensure a net gain in biodiversity. This biodiversity work has been undertaken in conjunction with Manor Royal BID and Sussex Wildlife Trust, in terms of off-site provision of ecological improvements, and with advice from the Council's consultant ecologist. Our ecologist notes that this could provide "*the off-site woodland compensation, as well as agree options for a net biodiversity gain of 0.99 habitat units (equivalent to 13.32% net increase)*." The off-site discussions are focussed on 'Site 3,' which covers Crawters Brook between Fleming Way and Gatwick Road. The ecologist notes that this "*includes a mixture of semi-natural broadleaved woodland (moderate condition), wet woodland (poor condition) and other neutral grassland (poor condition)*."
- 5.44. The Council's consultant ecologist is satisfied, in principle, that the scheme, with off-site mitigation, could be acceptable in biodiversity terms. However, that support is subject to "*appropriate compensation for broadleaved semi-natural woodland (which falls within the blanket term of 'lowland mixed deciduous woodland Priority habitat') ... as well as measurable biodiversity net gains*," which the ecologist states need to be secured. An updated and final Biodiversity Net Gain report is needed, which must include:
- Baseline data collection and assessment of the current conditions of the relevant sites;
  - Provision of the full BNG calculations, with plans for pre-development and post development proposals and detailed justifications for the choice of habitat types, condition, connectivity and ecological functionality;

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- Details of proportionate compensation for the lowland mixed deciduous woodland Priority habitat;
- Details of the implementation measures and management of proposals;
- Details of any off-site provision to be secured by a planning obligation;
- Details of the monitoring and auditing measures.

As off-site mitigation is required, it is considered that this must be secured through a legal agreement.

- 5.45. Officers are satisfied that the scheme, despite the tree loss and related ecological loss, can be made acceptable in terms of biodiversity by a combination of the measures proposed on site and the additional provision that can be made off-site. Manor Royal BID has written to confirm that it is committed to improving biodiversity as part of its Business Plan, that it has had discussions with the applicant and the BID supports the principle of a financial contribution to enhance biodiversity within Manor Royal.

## **Air quality**

- 5.46. The applicant has submitted an Air Quality Assessment. The Council's Air Quality Management Officer has reviewed the report and accepts its findings. She considers that dust emissions during construction can be resolved by mitigation measures in accordance with best practice. This can be secured by condition.
- 5.47. In terms of the proposed use, she is also satisfied that the Air Quality Assessment and Transport Assessment confirm that there would be no intensification in use of the site in emissions terms and therefore that no significant adverse impact upon air quality would result. Mitigation measures are proposed by the applicants to address air quality as part of the redevelopment. These include the provision of electric vehicle charging points, implementation and monitoring of a Travel Plan, provision of cycle parking and other facilities for cyclists and pedestrians. These form part of the proposal and their implementation can be secured through a S106 agreement or by planning condition.

## **Contaminated land**

- 5.48. The site lies within Manor Royal and contains vacant commercial buildings. Whilst not recorded as contaminated across the site, Council records do show two electricity sub-stations within the site as potentially contaminated. The applicant submitted a Remediation Strategy with the application. The Council's Contaminated Land officer has raised no objection to the proposal. The proposal, subject to a condition requiring implementation of the recommendations within the Remediation Strategy, is considered acceptable to address this matter.

## **Aviation**

- 5.49. In response to the initial consultations, NATS and Gatwick Airport's Planning and Safeguarding teams all raised objections to the proposed development.
- 5.50. NATS objected on the grounds of the proposal's impact upon the radar system. The applicant subsequently entered into discussions to resolve the radar concerns. A mitigation scheme for the radar system has now been agreed in principle. NATS therefore raise no objection subject to conditions to secure the delivery of an agreed radar mitigation scheme prior to the development works reaching more than five metres above ground level and to ensure that construction works are in accordance with a Crane Operation Plan.
- 5.51. GAL's Safeguarding team, which deals with aviation safety matters, initially raised queries about the proposed landscaping and also supported the radar concerns raised by NATS. The concept landscaping scheme lists vegetation species, but does not specify the numbers of fruit/berry bearing species or their location. Now that the radar issue has been resolved, GAL Safeguarding has withdrawn its objection on existing aviation safety grounds, subject to conditions covering agreement and implementation of a Bird Hazard Management Plan, full details of landscaping and the further details about the proposed solar PV panels and possible glint/glare.

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- 5.52. Following discussions between GAL Safeguarding, NATS and the applicant, matters relating to the impact of the development upon the radar system and aviation safety have, subject to a variety of conditions, been addressed. The proposal is therefore considered acceptable in respect of those issues.
- 5.53. GAL's Planning team objects to the proposed development on the grounds that a significant proportion of the northern part of the site, including the vehicular access onto Hydehurst Lane, car parking and most of Unit A, is located within land that is safeguarded for the potential future development of a second runway at Gatwick Airport. That proposal is shown in the Gatwick Masterplan published in July 2019.
- 5.54. GAL note the current safeguarding protection given by policy GAT2 in the adopted Local Plan is based on the 2012 Gatwick Masterplan. Since then, they state that *"as part of the work of the Airports Commission process – and as highlighted in GAL's 2019 Masterplan – the boundary was adjusted to meet the latest operational requirements."* Following the boundary amendment in the Gatwick Masterplan, in January 2021, Crawley Borough Council issued the Regulation 19 draft Local Plan with a boundary reflecting the boundary in Gatwick's 2019 Masterplan. GAL's Planning team considers that *"significant weight should be attached to both the GAL Masterplan 2019 and the (January 2021) Regulation 19 CBC Draft Local Plan ... On that basis, we believe that due to its location, a significant portion of the proposed development would be contrary to emerging policy GAT2 and we therefore object to the planning application."*
- 5.55. Policy GAT2 of the Local Plan safeguards land from development that would be incompatible with the expansion of Gatwick Airport through construction of an additional wide spaced runway, if required. Based on the adopted Local Plan, with the exception of a small area in the north west corner of the application site, most of the site is located outside the safeguarded area shown on the currently adopted Local Plan proposals map, which is based on Gatwick's 2012 Masterplan. None of the small area included within the safeguarded area is proposed to be physically developed and it is not considered that the uses proposed for this safeguarded area are incompatible with the adopted 2015 Local Plan.
- 5.56. As committee members will know, the Council is preparing an updated Local Plan and it is intended that the Council's forthcoming draft Submission (Reg. 19) Local Plan (and accompanying draft Local Plan Map) will show an amended safeguarding boundary that corresponds to that shown in the 2019 Gatwick Airport Master Plan in respect of the application site. It is noted that the enlarged safeguarded area, which showed a much wider encroachment onto the application site, was shown on the Regulation 19 Local Plan on which consultation was carried out in early 2020. However, this version of the plan has not progressed further. Given that the revised Local Plan is due to be issued for further Regulation 19 consultation this year (subject to Full Council approval in February), public consultation in May/June and submission in summer/autumn 2023, it is not considered that significant weight can be given to the safeguarded area shown on the earlier Regulation 19 Local Plan.
- 5.57. It is considered that until the draft Local Plan is submitted to the Secretary of State for examination very limited weight can be accorded to its policies. Therefore whilst it would be appropriate to include an informative to advise of GAL's Master Plan and the emerging Local Plan's proposed amendment to the safeguarding boundary, the 2015 Local Plan represents the adopted development plan, and given that only limited weight may be afforded to the emerging draft Local Plan, it is considered appropriate that Policy GAT2 is applied to this application on the basis of the safeguarded area as shown on the 2015 Local Plan Map.
- 5.58. GAL Planning team's objection of the grounds of safeguarded land for a potential second runway still stands. Notwithstanding the issue raised, there is no current local planning policy that would preclude the proposal on safeguarded land grounds. Consequently, it is not considered that a refusal on this basis could be sustained at appeal. With the outstanding objection, if Planning Committee is minded to grant planning permission, the Council will need to notify the Civil Aviation Authority and Gatwick Airport and allow a 28 day period for them to respond. The recommendation to grant below is therefore subject to that process being undertaken and reaching an outcome that allows planning permission to be granted.

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- 5.59. The site is close to an Archaeological Notification Area to the north at Gatwick Manor and the former county boundary also runs east-west through the application site. Consequently, in conjunction with the Council's consultant archaeologist, an archaeological report has been submitted and trial trenches excavated on site. The trenches revealed nothing of archaeological interest. The trenches showed made ground on top of the natural clay, as would probably be expected from a brownfield site containing buildings and extensive hardstanding. Nothing was found on site to indicate any physical marking of the former county boundary. On that basis, the consultant archaeologist raises no objection to the proposal.

## **Drainage and flooding**

- 5.60. Thames Water has confirmed that it has no objection to the application with regard to foul or surface water drainage and recommends an informative on groundwater protection. Southern Water has confirmed that it can facilitate water supply to service the proposed development. WSCC Flood Risk Management team states that the site is at low risk of ground or surface water flooding. They note that a SuDS approach with restricted discharge to a public sewer is proposed. Details of the system, including ongoing site-specific maintenance, should be agreed and implemented. The Council's Drainage officer notes that the site is at a low risk of flooding and that surface water will be discharged into a Thames Water sewer, for which confirmation of agreement has been provided.
- 5.61. Overall therefore, subject to conditions covering the SuDS system's implementation and ongoing maintenance, it is considered that the drainage and flooding issues have been satisfactorily addressed by the proposal.

## **Water neutrality**

- 5.62. 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. Consequently, new development within the Water Resource Zone is required to be water neutral in order to avoid further adverse impact upon the protected habitats and species.
- 5.63. The applicant submitted a water neutrality statement addressing both the existing lawful uses (car showroom (8,620sqm) and a flight training centre (5,234sqm)) and the proposed storage and distribution (B8) use. The existing water consumption has been calculated as 3,474m<sup>3</sup> per year, a figure which was assessed and agreed by the Council's independent consultant, Water Environment.
- 5.64. The water consumption within the proposed warehouses, based on the building floorspace, layout and water fittings, total estimated occupancy, operation 24 hours per day for 365 days per year and BREEAM calculation has been calculated by the applicant, and agreed by Water Environment, as 2,789m<sup>3</sup> / year. This consumption figure is less than the existing uses.
- 5.65. An Appropriate Assessment has been undertaken, which concluded that the proposal would be water neutral. The Local Planning Authority's view is 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.
- 5.66. Natural England have been consulted on the Council's Appropriate Assessment and have confirmed that they agree that the proposal would be water neutral, provided that the agreed mitigation measures are secured. As water neutrality can be achieved through the use of water efficiency measures wholly within the site, these measures can be secured through an appropriate planning condition.

## **Developer contributions**

- 5.67. The proposal would result in an increase of 4,123 sqm business floorspace on the site. Consequently, a Manor Royal contribution of £2 per sqm is sought on the net increase towards public realm improvements. This would total £8,244.



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5.68. A S106 agreement would be required if permission is to be granted to secure the following contributions:

- Preparation and implementation of a final Biodiversity Net Gain report to cover the requirements set out in paragraph 5.44 above;
- Contribution towards off site tree planting based on the formula set out in policy CH6 of the Local Plan.
- Financial contribution of £8,244 to Manor Royal improvements;
- Financial contribution of £7,300 towards the provision of waiting restrictions on Fleming Way payable on occupation of Unit B; and
- Travel Plan monitoring fee of £3,500.

## **CONCLUSIONS:-**

- 6.1. The redevelopment of the site would create two modern warehouse units, which is considered acceptable in planning policy terms and would help support Manor Royal. The revised warehouse design, whilst relatively plain and functional, is considered acceptable on this fairly prominent site. The operational needs of the site would be met by the proposed parking arrangements and the Local Highway Authority raises no objection. The proposal, in relation to matters such as drainage, air quality and contaminated land is acceptable, subject to conditions, and the sustainability measures would provide a BREEAM excellent rating for water and energy credits. Broadleaved tree loss within the site will need to be mitigated, both on and off-site. Further work needs to be done on this, but the Council's ecologist is satisfied that successful mitigation can be achieved.
- 6.2. Subject to the satisfactory conclusion of the required consultation with the Civil Aviation Authority and Gatwick Airport, officers consider the proposal to be acceptable subject to the completion of a legal agreement to secure the biodiversity mitigation and other measures set out below. The proposal would then, subject to conditions, accord with the relevant sections of the NPPF, policies within the Local Plan and the relevant Supplementary Planning Guidance. On this basis, it is recommended that planning permission be granted.

## **RECOMMENDATION RE: CR/2022/0187/FUL:-**

Delegate the decision to PERMIT to the Head of Economy and Planning, subject to:

1. A satisfactory conclusion to the notification process with Gatwick Airport and the Civil Aviation Authority in accordance with the requirements in Annex 1 of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002;
2. Subject to the conclusion of a Section 106 legal agreement to secure:
  - Preparation and implementation of a final Biodiversity Net Gain report to cover the requirements set out in paragraph 5.44 above;
  - Contribution towards off site tree planting based on the formula set out in policy CH6 of the Local Plan;
  - Manor Royal contribution of £8,244;
  - Financial contribution of £7,300 towards the provision of waiting restrictions on Fleming Way payable on occupation of Unit B; and
  - Travel Plan monitoring fee of £3,500;

And subject to the following conditions:-

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

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3. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters;
  - a) the anticipated number, frequency and types of vehicles used during construction;
  - b) the method of access and routing of vehicles during construction;
  - c) the parking of vehicles by site operatives and visitors;
  - d) the loading and unloading of plant, materials and waste;
  - e) the storage of plant and materials used in construction of the development;
  - f) the erection and maintenance of security hoarding;
  - g) required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
  - h) details of public engagement both prior to and during construction works.

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

REASON why pre-commencement condition: as it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.
4. No development, including any site setting up works, shall take place until a dust management plan to control the emission of dust from the demolition and construction works at the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be fully implemented on commencement of the site works in strict accordance with the agreed plan unless otherwise agreed in writing by the Local Planning Authority and shall remain in force until the completion of the development. The approved plan should follow the guidance and recommendations in the Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction.

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

Reason why pre-commencement condition: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.
5. No development shall take place until a Crane Operation Plan has been submitted to and approved in writing by the Local Planning Authority, which shall include any cranes, Hiabs or other equipment used during the demolition/earthworks phase or the construction phase that exceed 10m above ground level. The plan must be submitted and approved in writing before any such equipment is brought onto site. Development at the site shall only thereafter be operated carried out in accordance with the approved Crane Operation Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of aircraft safety and the operations of NATS En-route PLC and in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.

REASON WHY PRE-COMMENCEMENT: As the implementation of the permission and related site setting up works, including use of cranes, could adversely affect the NATS radar system and harm aviation safety and, therefore, to ensure that any impact is mitigated in an appropriate and timely manner and in accordance with policy IN1 of the Crawley Borough Local Plan.
6. Prior to the commencement of development, including any demolition and site setting up works, a construction environmental management plan (CEMP Biodiversity) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP Biodiversity shall be prepared in line with details contained within the ecological assessments provided by Middlemarch Environmental Ltd and shall include the following.
  - a) Risk assessment of potentially damaging construction activities;
  - b) Identification of "biodiversity protection zones";
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - d) The location and timing of sensitive works to avoid harm to biodiversity features;
  - e) The times during construction when specialist ecologists need to be present on site to oversee works;
  - f) Responsible persons and lines of communication;
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
  - h) Use of protective fences, exclusion barriers and warning signs; and
  - i) Containment, control and removal of any Invasive non-native species (Wall Cotoneaster) present on site.

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The approved CEMP Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To conserve protected and Priority species, to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies CH3, ENV1 and ENV2 of the Crawley Borough Local Plan.

7. The development hereby permitted shall be carried out in accordance with the Middlemarch Arboricultural Method Statement and its Tree Protection Plan dated December 2022 submitted with the application. The agreed tree protection measures set out within the report must be fully implemented prior to the commencement of site setting up activities or demolition and thereafter maintained for the duration of the construction works.

REASON: To ensure that the trees to be retained are not compromised during the construction of the development in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030. Reason why pre-commencement: As site setting up activities involve risk to nearby trees and to ensure that no harm occurs to the trees that are being retained.

8. No development, including demolition or site setting up works, until a finalised Biodiversity Net Gain Report has been submitted to and approved in writing by the Local Planning Authority. The finalised Biodiversity Net Gain Report shall use the DEFRA Biodiversity Metric and include the following:

- Baseline data collection and assessment of the current conditions of the relevant sites;
- Provision of the full BNG calculations, with plans for pre-development and post development proposals and detailed justifications for the choice of habitat types, condition, connectivity and ecological functionality;
- Details of proportionate compensation for the lowland mixed deciduous woodland Priority habitat;
- Details of the implementation measures and management of proposals;
- Details of any off-site provision to be secured by a planning obligation; and
- Details of the monitoring and auditing measures.

The development shall be carried out in strict accordance with the agreed details and the proposed enhancement measures shall be implemented prior to the first occupation of the development, in accordance with the approved details and shall be retained in that manner thereafter.

REASON: In order to demonstrate measurable biodiversity net gains and allow the Local Planning Authority to discharge its duties under the NPPF (2021) and in accordance with policies CH3, ENV1 and ENV2 of the Crawley Borough Local Plan.

9. No above ground development shall take place until a Final Sustainability Statement has been submitted to and approved in writing by the Local Planning Authority confirming the measures by which the development will address energy consumption, carbon emissions and climate change mitigation and adaptation, including details of any solar photovoltaic and solar thermal panels and any proposals to facilitate the use on or near the site of energy generated on or near the site. The scheme shall be fully implemented in accordance with the approved details and any sources of renewable energy installed and made operational prior to the first occupation of the development hereby approved and the sustainability measures shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of sustainable design and construction and in accordance with policies ENV6, ENV7 and ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

10. The development hereby approved shall be implemented in strict accordance with the Remediation Strategy, including proposed remediation works and methods of dealing with unexpected contamination if found on the site unless otherwise agreed in writing by the Local Planning Authority.

REASON: The proposed site has been used for commercial purposes for many years and has the potential to have areas of contamination and to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution or contaminated land in accordance with policy ENV10 of Crawley Borough Local Plan 2015-2030.

11. No above ground development shall be carried out unless and until a schedule of materials and finishes, along with samples of such materials and finishes, to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority. The

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development shall be carried out in accordance with the agreed materials 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.

12. No part of the development hereby approved shall be first occupied until a Landscape and Ecological Management Plan (LEMP) has been submitted to and be approved in writing by the Local Planning Authority. The LEMP shall include the following:

- a) Description and evaluation of features to be managed;
- b) Ecological trends and constraints on site that might influence management;
- c) Aims and objectives of management;
- d) Appropriate management options for achieving aims and objectives;
- e) Prescriptions for management actions;
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
- g) Details of the body or organisation responsible for implementation of the plan; and
- h) Ongoing monitoring and remedial measures.

The LEMP shall be completed in line with the finalised Biodiversity Net Gain Report and shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan shall be implemented in accordance with the approved details.

REASON: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies CH3, ENV1 and ENV2 of the Crawley Borough Local Plan.

13. Prior to any above ground works, full details of soft landscaping must be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- The species, number and spacing of trees and shrubs

No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

REASON: To avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in the bird hazard risk of the application site and in accordance with policy IN1 of the Crawley Borough Local Plan.

14. No solar panels shall be installed until full details of the proposed solar panels and a glint and glare assessment has been submitted to and approved in writing by the Local Planning Authority. The solar panels shall be installed in strict accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigation and surveillance equipment or glint and glare issues and in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.

15. Prior to any above ground works, a detailed Bird Hazard Management Plan must be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- o Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.

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

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

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16. No development shall take place until a Radar Mitigation Scheme, including a timetable for its implementation during construction, has been submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of aircraft safety, the operations of NATS En-route PLC and in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.  
REASON WHY PRE-COMMENCEMENT: As the implementation of the permission and related site setting up works, including use of cranes, could adversely affect the NATS radar system and harm aviation safety and, therefore, to ensure that any impact is mitigated in an appropriate and timely manner and in accordance with policy IN1 of the Crawley Borough Local Plan.
17. No part of the development shall be constructed more than five metres above ground level unless and until the approved Radar Mitigation Scheme has been implemented in accordance with the agreed details. The development shall thereafter be carried out in strict accordance with the approved Scheme.  
REASON: In the interests of aircraft safety, the operations of NATS En-route PLC and in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.
18. No employment unit hereby approved shall be first occupied until such time as the vehicular access(es) serving that unit has/have been constructed in accordance with the details shown within the Transport Assessment Addendum dated 16 June 2022 on the drawings titled Proposed Site Access Arrangement and numbered ITB17266-GA-003 Revision C and ITB17266-GA-004 Revision C.  
REASON: In the interests of road safety and in accordance with policy CH3 of the Crawley Borough Local Plan.
19. No employment unit shall be first occupied until the car parking, including disabled spaces, HGV parking and service yard serving the respective unit 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 vehicle parking spaces for the use in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan and the parking standards set out in the Urban Design Supplementary Planning Document.
20. No unit shall be first occupied until covered and secure cycle parking spaces serving the respective unit have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The provision shall be implemented and thereafter be retained for the secure storage of cycles.  
REASON: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan and the parking standards set out in the Urban Design Supplementary Planning Document.
21. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided and made operational in accordance with plans and details submitted to and approved by the Local Planning Authority. The EV charging spaces shall be made operational on first occupation of the unit and such provision shall thereafter be retained.  
REASON: To provide EV charging points to support the use of electric vehicles in accordance with national sustainable transport policies and the relevant provision of the National Planning Policy Framework.
22. No unit shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.  
REASON: To encourage and promote sustainable transport and in accordance with policy CH3 of the Crawley Borough Local Plan.
23. Within three months of the first occupation of any commercial unit forming part of the development, a copy of a post-construction report, verifying that the unit or the commercial element of the development as a whole has achieved the minimum Energy and Water standards for BREEAM 'Excellent', shall be submitted to and agreed in writing by the Local Planning Authority.

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REASON: In the interests of sustainable design and efficient use of water resources in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015 and the Planning and Climate Change Supplementary Planning Document.

24. No construction of the warehouse buildings hereby approved shall take place until details of the maintenance and ongoing management of the SuDS system have been set out in a site-specific manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in strict accordance with the approved designs unless otherwise agreed in writing by the Local Planning Authority.

REASON: To address flooding and surface water drainage in a sustainable manner in accordance with policy ENV8 of the Crawley Borough Local Plan 2015 - 2030.

25. The development, including the installation of water efficient fixtures and fittings and rainwater harvesting, shall be carried out in strict accordance with the details set out in:
- Middlemarch Environment Ltd Report to Inform Habitats Regulations Assessment: Stage 1 Screening, Final Issue dated 17th February 2022 (section 5.2);
  - Couch Perry Wilkes Water Neutrality Report for Land at Fleming Way, Crawley Rev C dated 2 August 2022; and
  - Correspondence from Turley Associates dated 10 October 2022 and 27 October 2022 confirming that the use of the site will be restricted to B8 (Storage) use and that external water uses will be addressed through rainwater only.

The approved details shall be implemented in full prior to the first occupation of the development hereby approved and remain in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

REASON: Taking account of the Natural England Position Statement on water neutrality received on 14 September 2021 and to ensure that the development is water neutral and 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.

26. The two additional fire hydrants shown on the Fire Hydrant Coverage drawing PAN-BGC-U-FWC-FW-SK-001 Revision B-P02 (25-10-22) shall be installed and made ready for use prior to first occupation of the buildings hereby approved. The applicant shall notify West Sussex Fire and Rescue Service – Water and Access department upon installation of the fire hydrants.

REASON: In the interests of the safety of future occupants of the development hereby approved and in accordance with policy CH3 of the Crawley Borough Local Plan.

27. 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 accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

28. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, including any future amendments, the proposed buildings hereby approved shall only be used for storage and distribution (B8) use only and for no other purpose defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), without the prior written consent of the Local Planning Authority.

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

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29. No part of the building or the site shall be designated, equipped or used as a vehicle washing area without the prior written consent of the Local Planning Authority.  
REASON: In order to comply with the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.

## INFORMATIVES

1. Within the boundaries of Crawley Borough Council, the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.  
The permitted hours for noisy construction work in the Borough of Crawley are as follows:  
0800 to 1800 Monday to Friday; and  
0800 to 1300 on Saturday,  
With no noisy construction works taking place on Sundays, Bank Holidays, Public Holidays, Christmas Day, Boxing Day or New Year's Day.  
The developer shall employ at all times the best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'. Any exemptions to the above hours must be agreed with the Environmental Health team in advance.
2. Given the nature of the proposed development, it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please visit Crane Permits ([gatwickairport.com](http://gatwickairport.com)) or email [cranes@gatwickairport.com](mailto:cranes@gatwickairport.com).
3. In order to address potential aviation safety issues, berry and fruit bearing species shall form less than 40% of the overall planting palette within the landscaping scheme and any such species shall be spread throughout the planting scheme. Any bird boxes to be provided should be aimed at the smaller species, such as Sparrows, Wrens etc.
4. Part of Unit A and the site area to the north lie within the extended boundary for the proposed additional runway to the south, published by Gatwick Airport Ltd (GAL) in July 2014, being land which GAL may require for airport development in the event of permission being granted for an additional runway to the south of the airport.  
However, in the event of a Government decision in favour of an additional runway to the south, resulting in more detailed design work required for a planning application, this future boundary position might be adjusted, either increasing or reducing the impact on this site.
5. The Environment Agency would like to refer the applicant to its groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from [gov.uk](http://gov.uk). This publication sets out the Agency's position for a wide range of activities and developments, including the following:
  - a) Waste management
  - b) Discharge of liquid effluents
  - c) Land contamination
  - d) Ground source heat pumps
  - e) Cemetery developments
  - f) Drainage
6. If there is a reason to believe contamination could be an issue, applicants should provide proportionate but sufficient site investigation information (a risk assessment) prepared by a competent person to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an

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acceptable level. The National Quality Mark Scheme (NQMS) accredits competent persons with regard to assessing and reporting land contamination issues.

7. Any unexpected contamination encountered should be reported to the Environmental Health Officer in accordance with Building Regulations approved Doc C.
8. Sustainable surface water drainage systems are endorsed and encouraged by the Environment Agency as the collection and dispersal of clean surface water to ground allows recharge aquifer units. It also can help to prevent localised flooding in heavy rainfall events. Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal. As part of this hierarchy the first option is for the disposal of surface water via SUDS, which encourage infiltration such as soakaways or infiltration trenches. An appraisal of SUD options must be undertaken to ensure feasibility and/or suitability and it must be proven that they can be properly maintained and would not lead to any other environmental problems. The use of soakaways will always require a site specific investigation and risk assessment to assess suitability. There must be no discharge to land which is impacted by contamination and there must be no direct discharge to groundwater. As a rule of thumb we would accept roof drainage going to soakaway, but other surface drainage may need to go through treatment systems or to foul main, for instance vehicle parking. However discharge into the ground from car parking for less than 20 private cars is normally acceptable, provided there are suitable pollution prevention measures in the system prior to the discharge point and the groundwater is greater than 10 metres below final discharge level. We would not accept any vehicle parking drainage going to ground in an SPZ1.

Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365.

The detailed design at any site can be negotiated on a site specific basis dependant on environmental setting and drainage design proposals. The following website is helpful in planning drainage design:  
<http://www.bgs.ac.uk/products/hydrogeology/infiltrationSuds.html>

9. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk) (Please refer to the Wholesale; Business customers; Groundwater discharges section).
10. The applicant is advised that this site falls within the area covered by Southern Water plc. For your information, contact details are Southern Water, Southern House, Yeoman Road, Worthing, West Sussex BN13 3NX (Tel: 0845 278 0845).
11. The applicant is encouraged to engage with Manor Royal BID regarding the ReEnergise Manor Royal Onsite Renewable Energy Project, sustainable travel initiatives and other ongoing initiatives in the area.
12. The applicant is advised to carefully consider the advice provided by Sussex Police in its consultation response dated 3 May 2022. The applicant should consider the implementation of security measures which can be found at [www.securedbydesign.com](http://www.securedbydesign.com) and also consider the comments made about issues such as CCTV, secure cycle parking and the Parkmark scheme.

## 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:

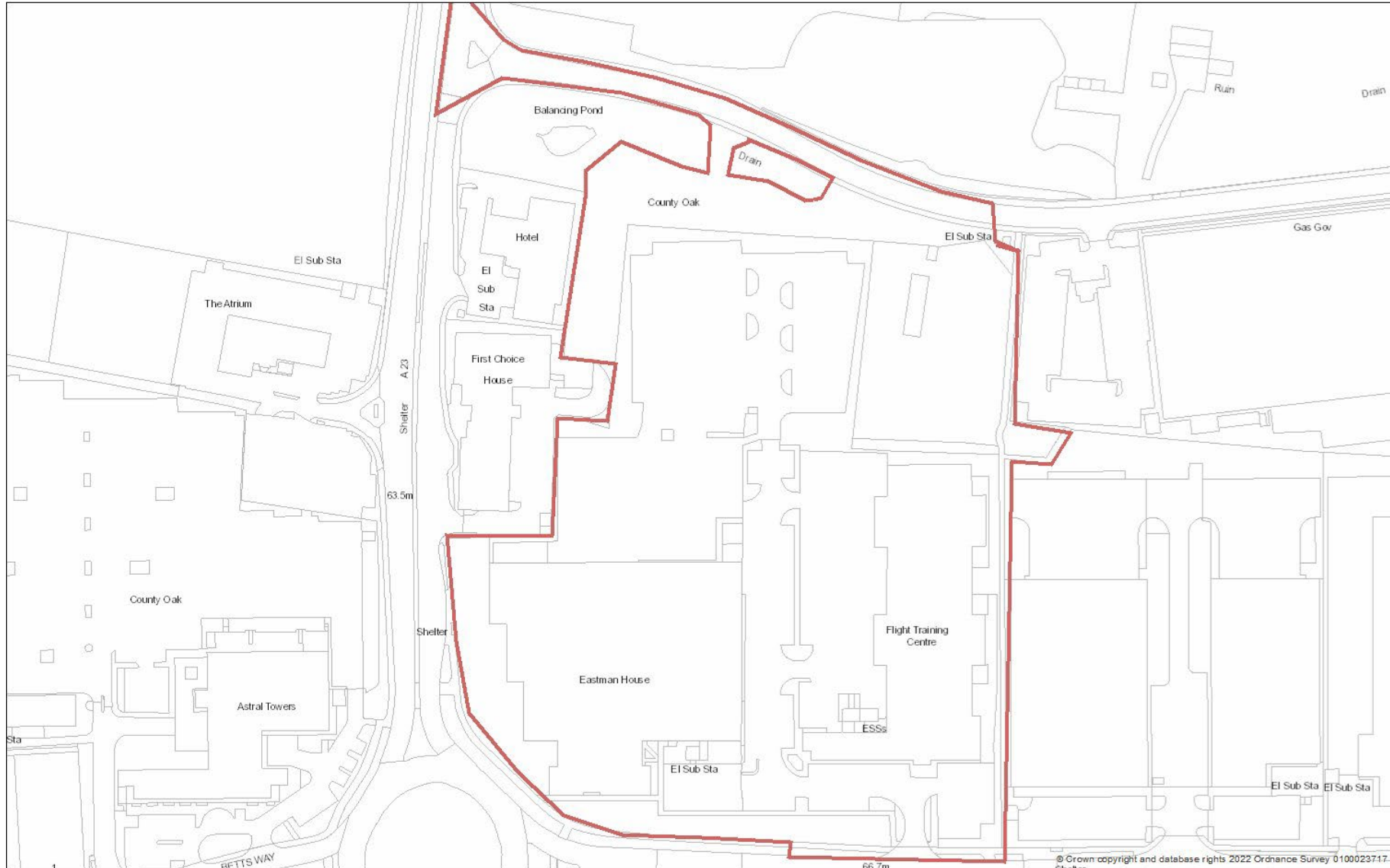
- Providing advice in a timely and manner through pre-application discussions/correspondence.



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

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



# Agenda Item 6

**CRAWLEY BOROUGH COUNCIL**  
**PLANNING COMMITTEE - 6 February 2023**  
**REPORT NO: PES/410(b)**

**REFERENCE NO: CR/2022/0503/FUL**

**LOCATION:** [1-19 \(ODDS\) CROMPTON WAY, NORTHGATE, CRAWLEY](#)  
**WARD:** Langley Green & Tushmore  
**PROPOSAL:** DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 3NO. BUILDINGS FOR USE CLASS B8 INCLUDING DETAILS OF ACCESS, SERVICING, LANDSCAPING AND BOUNDARY TREATMENTS, AND ASSOCIATED INFRASTRUCTURE AND EARTHWORKS (AMENDED DESCRIPTION)

**TARGET DECISION DATE:** 2 November 2022

**CASE OFFICER:** Mrs J. McPherson

**APPLICANT'S NAME:** Wrenbridge (FREOF V Crawley) LLP

**AGENT'S NAME:** Barton Willmore, now Stantec

## **PLANS & DRAWINGS CONSIDERED:-**

Drawing Number	Revision	Drawing Title
C181-CMP-SI-00-DR-A-0003 Rev	PL1	Existing Site Plan
C181-CMP-S-00-DR-A-00100 Rev	PL2	Proposed Site Plan
C181-CMP-SI-ZZ-DR-A-00002 Rev	PL1	Location Plan
339838 RG LD 03 Rev	B	Soft Landscaping
339838 RG LD 04 Rev	B	Hard Landscaping
339838 RG LD 01 Rev	C	Landscape General Arrangement
339838 RG LD 02	A	General Arrangement Illustrative Plan
21-307-PL-EX-001 Rev	PL1	Indicative External Lighting Layout
C181-CMP-BD-ZZ-DR-A-00201 Rev	PL2	Proposed North & West Elevations
C181-CMP-BD-ZZ-DR-A-00250 Rev	PL1	Proposed Typical Sections AA & BB
C181-CMP-BD-ZZ-DR-A-00251 Rev	PL1	Proposed Typical Sections, Units 1 & 2
C181-CMP-SI-ZZ-DR-A-0004 Rev	PL1	Proposed Demolition Plan
C181-CMP-SI-ZZ-DR-A-00005 Rev	PL1	Existing South and West Elevations
C181-CMP-SI-ZZ-DR-A-00006 Rev	PL1	Existing North and East Elevations
C181-CMP-SI-ZZ-DR-A-00101 Rev	PL2	Proposed Site Sections
C181-CMP-U1-ZZ-DR-A-00120 Rev	PL1	Unit 1 Core Plans
C181-CMP-U2-ZZ-DR-AA-00121 Rev	PL1	Unit 2 Core Plans
C181-CMP-U3-ZZ-DR-A-00122 Rev	PL1	Unit 3 Core Plans
C181-CMP-X-XX-DR-A-00007 Rev	PL1	Typical Fence Details
147359 Rev	A	Preliminary Levels
C181-CMP-BD-00-DR-A-00102 Rev	PL2	Proposed Ground Floor General Arrangement Plan
C181-CMP-BD-01-DR-A-00103 Rev	PL1	Proposed First Floor Plan
C181-CMP-BD-02-DR-A-00104 Rev	PL1	Proposed Plant Deck Plan
C181CMP-BD-RF-DR-A-00105 Rev	PL1	Proposed Roof Plan
C181-CMP-ZZ-DR-A-00200 Rev	PL2	Proposed South & East Elevations
147359/0206		Flood Evacuation Plan
C181-CMP-SI-XX-DR-A-00823	PL1	Typical Green Roof Cycle Shelter Detail
147359/0207		Proposed Floor level compared with Flood Zone 2

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

- |     |  |  |
|-----|--|--|
| 1.  | GAL Aerodrome Safeguarding             | No objections subject to informatives and conditions.  |
| 2.  | Environment Agency                     | Refer to standing advice to assess flood risk.   |
| 3.  | WSCC Highways                          | No objection subject to conditions and informatives  |
| 4.  | National Air Traffic Services (NATS)   | No objection.  |
| 5.  | Thames Water                           | Recommends informative to deal with groundwater discharges into the public sewer which should be minimised. Advice provided on working near public sewers and appropriate surface water disposal. No objection with regard to Waste Water Network and Sewage treatment works infrastructure capacity.  |
| 6.  | Police                                 | Detailed design advice provided on further guidance such as secured by design, secure cycle parking, lighting and CCTV.  |
| 7.  | CBC Drainage Officer                   | No objection subject to conditions, further information required.  |
| 8.  | CBC Planning Arboricultural Officer    | Concerns raised about the impact on the atlas cedar to be retained in the south west corner of the site and in particular works in RPA.  |
| 9.  | UK Power Networks                      | No response received.  |
| 10. | CBC Environment Team                   | No comments received.  |
| 11. | CBC Contaminated Land Officer          | No objection subject to condition and informative.   |
| 12. | CBC Environmental Health Officer       | No objection – advice provided.  |
| 13. | Southern Water Ltd                     | No objection – general advice on connection to supply provided.  |
| 14. | CBC Energy Efficiency & Sustainability | No response received   |
| 15. | WSCC Lead Local Flood Authority        | Advice provided –highlighted need for agreed surface water drainage designs with appropriate maintenance and management and comments to seek advice of district drainage engineer  |
| 16. | CBC Manor Royal                        | No comments received.  |
| 17. | CBC Air Quality Officer                | No objection subject to conditions   |
| 18. | Manor Royal Business District          | Comments – Supports investment in modern buildings but notes current smaller units are occupied by small businesses and comments that the loss of these units with their lower rental values which attract these firms to Manor Royal and that their loss could result in their possible displacement outside of Crawley. Would ideally like to see mid-sized affordable units being provided. Notes development is in keeping with function of business district and would like the developer to engage in Manor Royal BID. |
| 19. | Ecology Advisor (Place Services)       | No objection subject to conditions   |

## **NEIGHBOUR NOTIFICATIONS:-**

The application was publicised by press notice and site notices erected around the site boundary.

## **RESPONSES RECEIVED:-**

None.

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

The application is major development.

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## **THE APPLICATION SITE:-**

- 1.1 The application site is located towards the south west corner of the Manor Royal Main Employment Area and has vehicular access from Crompton Way which in turn connects with Manor Royal to the north. Crompton Way runs in an elongated loop around the application site allowing access to the highway from all directions.
- 1.2 The site is occupied by industrial units (nos 1-19 – odds) which are typically 1 to 2 storey in scale and quite dated in their appearance. These units which comprise 3 separate buildings are typically arranged with their rear service yards to the north and entrances generally fronting south. The units at the east and west ends of the site have access from the east and west respectively.
- 1.3 Parking in the area is difficult with on street parking at a premium. Much of the highway has restricted parking and is yellow lined, presumably to allow lorry access and movement along the quite narrow roads. The boundaries and ownerships between the units and the adjoining highway verges are poorly defined. This results in poorly defined street frontages along these boundaries and disorganised parking in these areas. There are a number of trees and some landscaping of varying quality on the site / highway land along the western and southern boundaries, none are protected by Tree Preservation Orders.
- 1.4 To the south of the application site are a pair of recently built industrial units with their principal elevations facing east and west. Most of the other employment buildings in the vicinity appear somewhat older. The employment buildings to the north of the application site have their rear accesses facing the site onto Crompton Way. The nearest residential properties are in Tushmore Avenue approximately 130m to the west of the site.
- 1.5 Route O / N on the LCWIP (Local Cycling and Walking Infrastructure Plan 2021) runs to the east of site connecting Crompton Way with routes into Manor Royal and the western side of the town centre. This route is relatively well landscaped and passes Magpie Wood which is visible to the east of the site. The site is close to a regular bus route which runs along Manor Royal.
- 1.6 The Local Plan identifies the site as part of the Manor Royal Main Employment Area which is also protected for employment use by a number of Article 4 directions. These include the removal of permitted development rights for changes to dwellings from office, storage and distribution and light industrial uses. The site also lies within a Priority Area for District Energy Networks.
- 1.7 The eastern part of the site is identified within Flood Zone 2 and the entire site is shown on the Council's records as contaminated land. There is an electricity sub-station in the northwest corner. Other nearby constraints include the Hazelwick Roundabout Air Quality Management Area (AQMA) which extends from that roundabout to the southeast of the site along the length of Crawley Avenue westwards towards the Tushmore Gyratory. The AQMA is within 200m of the site to the south.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 The proposal is for the demolition of the existing buildings on the site and redevelopment with 3 larger units (Use Class B8). The units would be of varying floor areas, modern design specification and 2 commercial storeys in scale with ancillary office space provided at first floor level. Each unit would have its own service yard and lorry and car parking. Vehicular access to the buildings would be from the south.
- 2.2 As part of the application proposal, the boundaries around the site which comprise highway verge and the applicants land would be rationalised with the boundaries 'squared off' and landscaping proposed around the edges of the site. Fencing is proposed to secure the service yards and the existing electricity sub-station is proposed to be relocated within the site further to the north west.
- 2.3 In support of the application, the applicants have provided the following documents:
  - Arboricultural Method Statement and Arboricultural Impact Assessment
  - Preliminary Ecological Appraisal and Preliminary Roost Assessment and Bat Assessment Report
  - Biodiversity Net Gain Plan

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- Design and Access Statement plus Addendum
- Economic Benefits Statement
- Energy Strategy Report
- External Lighting Report
- Phase 1 Environmental Assessment
- Planning Statement
- Transport Statement
- Travel Plan
- Utilities Infrastructure Statement
- Ventilation Statement
- Air Quality Assessment and Emissions Mitigation Statement (plus Addendum)
- Flood Risk Assessment and Drainage Strategy
- Water Neutrality Statement

2.4 During the course of the application amended plans and additional information have been provided and the description of the original application has been amended to limit the use of the units to Use Class B8 (storage and distribution) only and not classes Eg(iii) and B2 which were also originally applied for. The reason for this change is explained later in the report.

## **PLANNING HISTORY:-**

3.1 The relevant history is as follows for the estate development itself:

- Z/49/167 – Use of land for industrial purposes – Permit
- CR/8/49 – Use of land for industrial purposes and erection of a factory – Permit
- CR/31/49 – Erection of a standard factory (these plans cover numbers 1-19)

3.2 There is quite detailed history for each of the units (numbers 1-19 Crompton Way – odds) dealing primarily with changes of use or minor alterations to the buildings post the original construction. Some units have details of specific uses such as timber and spray polishing, paint manufacture and car repairs.

## **PLANNING POLICY:-**

### **National Planning Policy Framework**

4.1 The updated National Planning Policy Framework (NPPF) published in July 2021 states that the purpose of the planning system is to contribute to the achievement of sustainable development. In achieving this the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.

- Section 2 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land, helping to improve biodiversity and addressing climate change.
- Section 6 – ‘Building a strong, competitive economy’ emphasises the need for the planning system to help create conditions where businesses can invest, expand and adapt in order to support the need for economic growth and productivity. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a

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key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- Section 14 – Meeting the challenge of climate change, flooding and coastal change. In addition to supporting the increased use of renewable and low carbon energy and reducing greenhouse gas emissions, including complying with local sustainability requirements, flood risk should not be increased elsewhere and sustainable drainage systems should be incorporated in major developments.
- Section 15 – Conserving and enhancing the natural environment. Planning policies and decisions should contribute to and enhance the natural and local environment. Development should not add to or be at risk from pollution.

## The Crawley Borough Local Plan 2015 – 2030 (CBLP)

- 4.2 This is the Development Plan for the borough (adopted December 2015) and the following policies are relevant to this application:
- 4.3 **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.
- 4.4 **Policy CH2** (Principles of Good Urban Design) Proposals must support locally distinctive development patterns, landscape character and heritage; create defined frontages and public/private areas; create safe and attractive routes for all; connect places for people and integrate land use and transport; provide recognisable routes and landmarks; consider flexible development which responds to changing needs; provide diversity and choice to create viable places and meet local needs.
- 4.5 **Policy CH3** (Normal Requirements of all New Development) Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by Design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and, where any are lost, replacement tree planting should accord with the standards set out in policy CH6.
- 4.6 **Policy CH4** (Comprehensive Development and Efficient use of Land) Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development.
- 4.7 **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.
- 4.8 **Policy EC1** (Sustainable Economic Growth) This policy supports Crawley's role as the key economic driver for the Gatwick Diamond area and supports business growth. The policy seeks to ensure that Crawley's recognised economic role and function is maintained and enhanced through building upon and protecting the established role of Manor Royal as the key Business (B1), General Industry (B2)

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and Storage and Distribution (B8) location for Crawley and ensuring that it is the focus for sustainable economic growth. The policy sets out the need for approximately 23 hectares of employment land over the plan period.

- 4.9 **Policy EC2** (Economic Growth in Main Employment Areas) recognises the significant contribution that the town's employment areas make to its economy and that of the wider area, and protects against net loss of employment floorspace.
- 4.10 **Policy EC3** (Manor Royal) Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings. Proposals that are not for B Use Class development will be permitted at Manor Royal if it can be demonstrated that they are of a scale and function that enhances the established role and business function of Manor Royal and would not undermine the business district. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.
- 4.11 **Policy ENV1** (Green Infrastructure) states that Crawley's multi-functional green infrastructure network will be conserved and enhanced through a number of measures including maximising opportunities to maintain and extend infrastructure links and requiring large proposals to provide new, or create links to, green infrastructure where possible.
- 4.12 **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.
- 4.13 **Policy ENV6** (Sustainable Design and Construction) All development must consider how it can address sustainability through reducing energy consumption, using renewable and low carbon energy, improving existing buildings when adding extensions, minimising carbon emissions during development and ensuring embedded carbon is retained and considering District Heat Networks, water stress and temperature extremes. A Sustainability Statement should be submitted demonstrating how sustainability has been addressed through design and construction.
- 4.14 **Policy ENV7** (District Energy Networks) Major developments within a Priority Area for District Energy Networks should demonstrate how they have addressed the hierarchy supporting creation of networks.
- 4.15 **Policy ENV8** (Development and Flood Risk) Development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere.
- 4.16 **Policy ENV9** (Tackling Water Stress) Non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- 4.17 **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.
- 4.18 **Policy ENV11** (Development and Noise) states that people's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources.
- 4.19 **Policy ENV12** (Air Quality) Development proposals that do not result in a material negative impact on air quality will normally be permitted
- 4.20 **Policy IN1** (Infrastructure Provision) Development must be supported by necessary on and off site infrastructure, including mitigation where needed, to avoid harmful impact upon existing infrastructure.



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- 4.21 **Policy IN2** (Strategic Delivery of Telecommunications Infrastructure) requires proposals to be connected to high quality communications infrastructure.
- 4.22 **Policy IN3** (Development and Requirements for Sustainable Transport) Development should be focussed to achieve sustainable transport through use of public transport, walking and cycling. Development should meet the access needs generated and not have unacceptable impact on congestion or highway safety. Proposals should be supported by a Transport Statement/Assessment.
- 4.23 **Policy IN4** (Car and Cycle Parking Standards) Proposals should provide the appropriate car and cycle parking required by supplementary guidance.

## Submission Draft Local Plan (Regulation 19)

- 4.24 The Council published its Submission Draft Local Plan (Regulation 19) in early January 2021 its consultation period ran until 30<sup>th</sup> June 2021. While limited weight can be afforded at this stage the following policies are applicable.
- Policy SD1: Presumption in Favour of Sustainable Development
  - Policy SD2: Enabling Healthy Lifestyles and Wellbeing
  - Policy CL2: Making Successful Places: Principles of Good Urban Design
  - Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
  - Policy CL4: Compact of New Development – Layout, Scale and Appearance
  - Policy DD1: Normal Requirements of All New Development
  - Policy DD2: Inclusive Design
  - Policy DD4: Tree Replacement Standards
  - Policy DD5: Aerodrome Safeguarding
  - Policy DD6: Advertisements
  - Policy IN1: Infrastructure Provision
  - Policy IN3: Supporting High Quality Communications
  - Policy EC1: Sustainable Economic Growth
  - Policy EC2: Economic Growth in Main Employment Areas
  - Policy EC3: Manor Royal
  - Policy EC4: Strategic Employment Location
  - Policy EC5: Employment and Skills Development
  - Policy EC9: Supporting the Creative Industries
  - Policy GI1: Green Infrastructure
  - Policy GI3: Biodiversity and Net Gain
  - Policy SDC1: Sustainable Design and Construction
  - Policy SDC2: District Energy Networks
  - Policy SDC3: Tackling Water Stress
  - Policy EP1: Development and Flood Risk
  - Policy EP3: Land and Water Quality
  - Policy EP4: Development and Noise
  - Policy EP5: Air Quality
  - Policy EP6: External Lighting
  - Policy ST1: Development and Requirements for Sustainable Transport
  - Policy ST2: Car and Cycle Parking Standards

## Supplementary Planning Documents

### Planning and Climate Change SPD – Adopted October 2016

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

### Green Infrastructure SPD – Adopted October 2016

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

## Urban Design SPD – Adopted October 2016

- 4.27 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.
- 4.28 In respect of non-residential development, para 3.62 states:  
*“The layout of non-residential development is particularly important to their success. This should address the street and the public realm in a considerate manner and not turn their back on the existing streetscape and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric. Active frontages are particularly important to the vitality of the streetscape and the success of commercial and retail uses and should be incorporated within the design from the start.”*
- 4.29 For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings to the street is encouraged along with opportunities to improve the urban environment and use of landscaping.
- 4.30 Annex 1 of the SPD contains the Borough’s indicative minimum parking standards including bespoke standards for Manor Royal (Zone 3). Disabled, cycle and motorcycle parking standards are also contained within Annex 1.

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

- 4.31 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
- 4.32 The document emphasises the importance of landscaping as a key consideration in creating a sense of place for Manor Royal and improving the quality of the public realm. A key approach to delivering these improvements is achieving robust and consistent frontages to improve the quality of the environment. It requires parking and servicing to be adequate to meet the needs of the development and to consider landscaping and seek to reduce monotonous surfacing of parking areas. Boundary treatments must be appropriate in scale and context, with landscaping to reduce the visual impact of fences and barriers.
- 4.33 The application site is located within Character Area A. Paragraph 4.1.1 provides further advice. It seeks to:
- Maintain the spacious setting of buildings;
  - Build on the positive impact of high quality public realm and development through promoting high quality buildings that also improve the private realm;
  - Provide active frontages, high quality materials, and planting of high aesthetic quality and durability; and
  - Given the spacious and prominent nature of the area, explore the potential for taller buildings with due regard to the safeguarding requirements of Gatwick Airport.

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4.34 The site is also just west of a key cycle route between the town and employment area. Paragraph 2.8 of the SPD seeks opportunities to improve the fragmented cycle network and requires all development to demonstrate how the following will be addressed:

- *“Utilise opportunities to improve access to sustainable forms of transport within all developments*
- *Have regard to potential linkages with existing cycle ways and opportunities for provision of new links within development sites.*
- *Ensure that developments incorporate and encourage cycle and pedestrian access and any on site features such as showers, cycle parking and cycle racks.”*

## Developer Contributions Guidance Note – Published July 2016

4.35 This sets out the Council’s approach to developer contributions following the introduction of the Community Infrastructure Levy. It provides details of the CIL charges and when S106 contributions will be sought. The document also sets out the Manor Royal contribution requirement towards the public realm in this area.

## **PLANNING CONSIDERATIONS:-**

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

- The principle of development / planning policies for the local economy
- Design and Layout of the development and impact on street scene
- Sustainability
- Access / highway impacts and operational requirements (including parking / cycle provision)
- Impact on trees, landscaping and ecology
- Impact on amenity of neighbouring properties / occupiers
- Impact on ground conditions (Contamination, Flooding, Drainage and Utilities)
- Air Quality
- Gatwick Safeguarding
- Water Neutrality
- Developer Contributions

## The principle of development / planning policies for the local economy

5.2 The application site is situated within the Manor Royal Main Employment Area and policies EC1, EC2 and EC3 in the CBLP are directly relevant. Policy EC3 places a clear focus on the delivery of business uses in Manor Royal, seeking to protect and reinforce its core business function by promoting development within the B-use classes, and encouraging the reuse and intensification of land or buildings within the main employment area. The proposed redevelopment of the site for Class B8 logistics warehouses is consistent with this policy.

5.3 The proposal is for redevelopment of currently occupied industrial units which already forms a part of the employment land supply in the CBLP. The proposal would provide 3 separate use class B8 warehouses with a slight uplift in floorspace and would represent an efficient use of this site in a highly sustainable and established employment area. In policy terms it represents and intensification and more efficient use of this land based on floorspace and would result in the provision of new employment floorspace .

5.4 The comments of the Manor Royal Bid about the size and affordability of units are noted and the applicants have commented that all five existing tenants wish to relocate within Crawley and one is in discussion with the developer to occupy some of the proposed space. They emphasise that the stock is coming to the end of its life and the buildings age is such that these need to be re-developed. It considered that the redevelopment is policy compliant as there is no requirement in relation to the size of the employment units being provided.

5.5 The applicants have provided an Economic Benefits statement estimating the economic impact of the new uses (this was based on the originally applied for Eg(iii), B2 and B8 uses and not just the B8 use as now revised). It estimates that around 63 site based construction jobs would be created

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over the 10 month build period with a further 60 jobs offsite related to the construction .The report states around 15-39 jobs are currently on-site in the existing premises and the proposed on site number of jobs that would be generated based on the B8 use is estimated to be around 62 full time equivalents. .

- 5.6 Overall, the proposed development represents additional Class B8 floorspace, within the Manor Royal Employment Area and is considered to accord with policies EC1, EC2 and EC3 in this regard. The principle of the development is therefore considered to be acceptable.

## Design and Layout of the development and impact on street scene

- 5.7 The application proposes the demolition of all the existing employment buildings on the site and erection of a new rectangular building (120m long x 42m wide) towards the northern edge of the site. This building would be subdivided into 3 differing sized units. Units 1 and 2 located in the western portion of the building would have their parking and service yards to the south, while unit 3 would have parking to the south but its loading and service yard to the west.
- 5.8 The design of the buildings would be of a 2 – 3 storey commercial scale and grey clad in a number of shades and panel types with a gently curved roof. Along the south elevation where the first floor office accommodation and entrances to the units are proposed would be two storey glazed entrances that for the 2 end units would wrap around the southern corners of the building with additional fenestration above serving the offices. Amended plans have provided more visual articulation to the building in particular in breaking up the expanse of cladding which would extend the entire length of the northern elevation and make more of a feature of the roof. The units themselves would still be architecturally quite plain but are considered to have introduced an element of active frontage to the south, east and west elevations. It should be noted that the proposed building would be somewhat unusual as it would have public views of all elevations from all directions. The rear elevation in design terms is challenging but considered appropriate given the context of the building within the employment area.
- 5.9 The building would be considered an appropriate scale for its surroundings. The site immediately to the south has been recently redeveloped in a similar design and footprint and while this development would be slightly taller, its scale and proportions would be considered visually acceptable in the wider employment area.
- 5.10 The proposed reduction in the number of vehicle access points onto Crompton Way limiting these to the southern part of the site is considered to have improved the legibility of the entrances and accesses relative to the proposed buildings compared to existing access arrangements. It is considered that the consolidation of the accesses has allowed for 2 areas of more robust landscaping to be provided at the west and east ends of the building resulting in the retention of 3 trees and space to plant new ones. This would visually enhance the setting of the site. The rear of the building would be a large expanse of wall close to the northern boundary however at street level this is proposed to be softened by a mixed species hedge. It is considered this design approach would be acceptable on this rear elevation and it is noted that the new employment building to the south of the application site has also been landscaped in a similar fashion.
- 5.11 Overall, it is considered that the design and layout would be broadly acceptable and in accordance with policies CH2 and CH3 of the CBLP and the design approach suggested in the Urban Design SPD and Manor Royal Guide SPD.

## Sustainability

- 5.12 The application is supported by an Energy Report provided in order to address the sustainability policies ENV6, ENV7 and ENV9 of the CBLP. This information demonstrates that the applicants have considered in detail how to meet the requirements of these policies and, in particular the need to achieve the minimum standards for BREEAM 'excellent' in the energy and water categories. The document states that these requirements can be addressed and the building design proposes measures such as thermally efficient building materials, solar PV roof panels, air source heat pumps to heat the office space and provide hot water. It is considered that compliance with policies ENV6 and ENV9 can be secured via condition.

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- 5.13 Policy ENV7 identifies Manor Royal as a District Energy Network (DEN) priority area. While no DEN is available in the vicinity, there is policy requirement to future proof the development with external infrastructure from the site boundary to the 3 units to be installed to carry any future district heating pipework. The applicant has demonstrated that connection to a future DEN could be achieved and precise details of this are proposed to be secured via a condition.

## Access / highway impacts and operational requirements (including parking / cycle provision)

- 5.14 The applicant has provided a Transport Statement and Framework Travel Plan with this application which the Local Highway Authority (LHA) has commented upon. The LHA notes that the existing access points would be closed off and state that the visibility splays for the 3 proposed new southern access points appear adequate for the speed and character of the (30mph) road and that the submitted swept path analysis shows the HGV's would be able to access all 6 loading bays. The level of trip generation to the site (assessed against all originally proposed uses Eg(iii), B2 and B8) is not expected to cause a detrimental impact on the local highway network.
- 5.15 In respect of car parking, this is assessed by in line with the adopted Borough Parking Standards, the provisions of which are set out below. During the course of the determination of this application the flexible office and general industrial uses (Use Classes Eg(iii) and B2) have been removed from the application, as the applicants could not provide parking spaces within the development to meet the minimum standards set out in the SPD. Given the parking pressures in the surrounding local roads, It is considered such a departure from standard could not be justified for this speculative development. There is therefore a slight overprovision of parking against the adopted B8 standard which is considered acceptable given the parking pressures in the area that would allow some flexibility for future occupiers.
- 5.16 Each building has been provided with its own designated lorry, car, motorcycle and cycle parking spaces. Annex 1 of the Urban Design SPD sets out the Borough Parking standards, for Class B8 uses, car parking should be provided at one space per 100sq m (with disabled/accessible spaces at 5% of the total provision) and lorry parking at 1 space per 500 sq m of floor-space. Motorcycle parking should be provided at one space plus one space per 10 car parking spaces. Cycle parking must be sheltered and secure and must be provided at 1 space per 500 sq m for staff and 1 space per 1000 sq m for visitors. The table below shows the SPD requirements alongside the proposed development provision. These numbers do not include the 12 parking spaces south of unit 3 that are on the public highway.

	SPD Requirement					Proposed			
	Car	Lorry	M'cycle	Cycle		Car	Lorry	M'cycle	Cycle*
Unit 1 1,672 sq m	17	3	1.7	5		21 (inc. 2 accessible)	2	2	6
Unit 2 1,075 sq m	11	2	1.1	3		11 (inc.1 accessible)	1	2	6
Unit 3 2,877 sq m	28	6	2.8	9		46 (inc 2 accessible)	3	4	12

- 5.17 Each unit would meet the Borough standards for car and motorcycle parking. There would be an under-provision of lorry parking for unit 3 but sufficient over-provision of the car parking for this unit to allow it to create the 3 additional lorry spaces if required by the occupier. It is considered it is for the future occupier to determine how they wish the secure yard area to operate (lorry vs parking provision). In terms of cycle parking there would be space within the layout for secured and covered cycle storage to meet the required standard. While indicative details of the cycle stands have been provided, the covered design with some biodiversity features incorporated is considered acceptable in principle however, further details including the design of the hoops, the spacing between these (as these look too close together) and level access needed to the shelters needs further information which can be secured via a suitably worded condition. It is considered that there is space within the layout to address cycle provision for the units.
- 5.18 EV parking spaces are also required to be provided as part of the development and 'West Sussex County Council Guidance on Parking at New Developments' (which is also included in the Council's

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Regulation 19 Local Plan), sets out the percentage of active EV spaces to be provided at a development that sets out an increasing requirement year on year. Assuming this development is completed in 2024 45% of parking spaces should have active EV parking spaces. The applicants have confirmed all parking spaces will have passive EV provision. It is considered appropriate to condition this provision so final details can be agreed once the building timeline for the project is finalised.

- 5.19 No detailed comments have been provided by the LHA in regard to the travel plan but it has recommended that exact details are secured via a planning condition. Final agreement any Travel Plan cannot be confirmed until the future occupier of the units is known. The LHA also require travel plan monitoring contribution to monitor the travel plan arrangements for the site, this would be secured via the S106 agreement.
- 5.20 Overall, this site occupies a highly sustainable and accessible location within Manor Royal, the development would not have an unacceptable impact on highway safety and the access and operational requirements are considered to have been adequately addressed. Vehicle and cycle parking is also provided to an acceptable standard. The proposal is therefore considered to accord with policies SD1, IN1, IN3 and IN4 of the CBLP and annex 1 of the Urban Design SPD.

## Impact on trees, landscaping and ecology

- 5.21 The applicants have provided an Arboricultural Survey, Arboricultural Impact Assessment, Arboricultural Method Statement, Preliminary Ecological Appraisal, Preliminary Bat Roost Assessment, Bat Assessment Report, External Lighting Report and a Biodiversity Net Gain Plan in support of the application. A landscaping scheme is also provided.
- 5.22 The site contains 6 individual trees, 3 of which would be removed and a further 2 pruned (crown lifted) to accommodate the development. The limited tree and hedge planting on the site would also be removed. The 3 trees to be removed have been identified as category C (low quality) trees and are an apple, an acer and a silver birch. The 3 remaining trees to be retained (all located at the western end of the site), are the best specimens and the most visually prominent.
- 5.23 The Arboricultural officer has raised a concern about the level of works proposed within the root protection area of the cedar tree which is proposed to be retained and crown lifted. In order to safeguard the tree in the longer term, he recommends that the parking spaces in the RPA are removed and the ground left undisturbed. The applicant has agreed in principle to this alteration and amended plans are expected showing this change prior to the committee meeting. It should be noted that the parking numbers shown in paragraph 5.16 above for Unit 1 have also been calculated on the basis of this amendment. A condition requiring tree protection during construction is also considered necessary.
- 5.24 Based on the tree replacement standards set out in the Green Infrastructure SPD the loss of 3 trees would require the planting of 7 replacement specimens. The indicative landscaping drawings suggest that 12 trees would be provided around the southern and eastern frontages of the site, the landscaping being proposed has also been considered for its biodiversity value. The scheme overall would create a landscaped edge to the western and eastern development site boundaries which would soften the visual appearance of the development. Birdsmouth fencing is proposed around the verge edges to deter illegal parking on these areas. A couple of timber benches have been included outside Unit 1 to allow use of the open space by employees.
- 5.25 The Council's ecology consultant has commented on the proposed landscaping and is satisfied with the planting proposed which if implemented would achieve biodiversity net gain. In relation to protected species (Bats) the mitigation measures are considered adequate both in the ecological report and in the external lighting assessment. Advice is also provided on invasive non-native species. Conditions are recommended to ensure that the impacts on protected and priority species/ habitats are protected with appropriate mitigation including works in accordance with the submitted reports, further information on pre development site operations and the submission of a biodiversity enhancement strategy.

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- 5.26 Overall, it is considered that the landscaping and biodiversity would be improved as a result of this development in the longer term. While 3 trees and existing shrubs would be removed, the consolidation and removal of the accesses and reconfiguration of the site would allow for 2 larger landscaped areas to be provided both to soften the impact of the building from the east and west elevations but also to provide space for replacement tree planting and further landscaping to improve biodiversity. The development is considered to comply with relevant policies CH3, CH6 and ENV2 of the CBLP.

## Impact on amenity of neighbouring properties / occupiers

- 5.27 The site is surrounded on its north, south and western boundaries by other commercial / industrial units within the Manor Royal employment area and to the east by a cycle track and Magpie Wood. The nearest residential properties in are Tushmore Avenue approximately 120 metres to the west with further employment buildings in between.
- 5.28 As discussed earlier in the report, there is not considered to be any harmful impact from the development in terms of visual amenity and wider views, the building would be centrally located in the employment area and surrounded by properties of a similar scale. As the site is effectively contained with the 'loop' of Crompton Way, it does not share any boundaries with immediate properties and therefore due to the overall scale of the development and level of separation there are considered to be no negative visual impacts on the amenities of nearby surrounding occupiers..
- 5.29 The Environmental Health team have considered the noise impacts of the development and commented that as the site is a commercial / industrial area the development should have minimal impact on amenity in relation to noise. It comments that the design principles set out by the applicants are reasonable and that the proposed plant deck seems to be an internal installation (although no details are provided of plant and equipment). Advice on plant noise levels has been highlighted (but is not enforceable) and the hours of working for construction has been incorporated onto the decision notice as a standard informative.
- 5.30 In conclusion, it is considered that there would be sufficient separation distance and intervening buildings between the development and the nearest residential properties in Tushmore Avenue to prevent any loss of amenity from noise impacts and the such planning controls are not reasonable in the main employment area where other businesses surrounding the site (and closer to these dwellings), operate unimpeded. It is therefore considered that there would not be an adverse impact on the noise environment for these nearby occupiers.

## Impact on ground conditions (contamination, flooding, drainage and utilities)

- 5.31 The applicants have provided various supporting documents in relation to ground conditions, drainage and infrastructure at the site.
- 5.32 The site is brownfield land and the Contaminated Land Officer has commented that site is known to be or suspected to be contaminated as site has had past uses including printing works, engineering works, chemical and metal works. The applicants have provided a Phase 1 Environmental Assessment to support the application within the existing buildings. A condition is therefore recommended given the potential for contamination to be exposed during demolition. This would require a Phase 2 intrusive investigation to be carried out with requirements for appropriate remediation and verification report to be provided on completion of the works.
- 5.33 In respect of flooding, the Environment Agency referred to its standing advice.
- 5.34 West Sussex County Council as the Lead Flood Authority has no specific requirements / comments referring consultation to the CBC Drainage Engineer. It recommends that all the works be undertaken in accordance with an agreed Surface Water Drainage Strategy based on sustainable drainage principles and details for the maintenance and management of any systems should be agreed and implemented.
- 5.35 The CBC Drainage Engineer has commented that as the site is partially within the Environment Agency Zone 2 flood risk area. He considered further details are also required to verify the FRA

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information to ensure there is not risk of the development causing additional flooding to surrounding properties and that there further information to demonstrate that adequate flood compensatory storage provided. He comments that the fluvial flood risk has only been briefly referred to in the submitted documents and this information needs to be provided in more detail. A condition is recommended to ensure that these full details are addressed before development commences and floor levels and drainage measures are fixed.

- 5.36 The Drainage Engineer has also requested conditions requiring post construction certification of the submitted drainage, a flood evacuation plan and details of the long term maintenance and management plan.
- 5.37 Neither Southern Water and Thames Water have objections to the application and have provided more detailed advice to the developer on the processes needed for connection to the drainage network (supply and sewers).

## Air quality

- 5.38 The site is 200m north of the Hazelwick Roundabout AQMA which runs along Crawley Avenue to and has shown no net improvement in air quality since its designation in 2015. The applicants have provided an Air Quality Assessment in support of their application which has been considered by the Environmental Health Division and following initial comments provided an Emissions Mitigation Statement.
- 5.39 In respect of air quality impacts during construction, Environmental Health comments that the mitigation measures outlined in the submitted Air Quality Assessment would be considered to adequate and in line with best practice on the control of construction dust. These measures should be implemented and agreed as part of a detailed construction management plan which would be secured via condition.
- 5.40 The Emissions Mitigation Statement was provided and the damage costs for air quality emissions was calculated to be £58,408. While the applicant proposes ideally to offset their emissions by providing on site mitigation to address for example enhanced provision of facilities to promote sustainable travel (for example showers for employees) at the time of writing the report, the costings and measures had not been agreed and an update will be provided at the meeting. If the measures can be agreed to be provided on site these measures would be secured via condition.

## Gatwick safeguarding

- 5.41 The site is located approximately 2.1 km south of Gatwick Airport. Neither National Air Traffic Services (NATS) and Gatwick Airport Limited have objected to the proposal. Whilst no safeguarding concerns have been raised, GAL request conditions to secure the implementation of a long term Bird Hazard Management Plan and a condition to ensure that details of any PV panels fitted to the buildings are agreed in in order to avoid any glare.

## Water neutrality

- 5.42 Crawley is situated in an area of serious water stress, as identified by the Environment Agency. The application site is supplied with water by Southern Water from its Sussex North Water Resource Zone (SNWRZ). This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.
- 5.43 On 14 September 2021, the Council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the SNWRZ is not having an impact on the Arun Valley sites. It advises that developments within this zone must not add to this impact.
- 5.44 Under the Conservation of Habitats and Species Regulations 2017 (s.63), Crawley Borough Council is the Competent Authority and has a duty to consider the impact of development on protected



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species and habitats. These Regulations and the Natural England Position Statement require, as a matter of law, applications for planning permission in the SNWRZ to demonstrate that they do not increase pressure on water resources and that they are “water neutral.” As a consequence, all applications that may affect water consumption need to be ‘screened’ to identify whether the proposed development, individually or in combination with other projects, will result in a significant effect on the Arun Valley sites.

- 5.45 This application is not exempt under the Screening process and therefore the applicants are required to submit evidence so that a judgement can be made by CBC as to whether there could be any potential significant impacts of the development on the Arun Valley sites by way of an ‘Appropriate Assessment’. In accordance with Natural England Position Statement, to meet this test the development must demonstrate that it is ‘water neutral’. The definition of water neutrality is the use of water in the supply area before the development being the same or lower after the development is in place.
- 5.46 This application is one where the new use proposed for the site, for 3 class B8 storage and distribution units with ancillary offices, was identified as being potentially more efficient or water neutral than that of current use of the site which is a mixture of general industrial units. The lawful use of the buildings is considered to be use Class B2 (general industrial) with no restrictions on hours of operation. The applicants have provided a Water Neutrality Report and this information has been independently assessed for CBC by a specialist consultant.
- 5.47 The review considered the water use of the current buildings on site based on existing meter readings (which were considered to be too uncertain), so in addition the theoretical demand for the existing units based on the BREEAM WAT 01 calculator was calculated. The precautionary assumption was applied that the units were consuming water on 253 days, 10 hours day scenario. On this basis the water consumption figure was calculated at 1,358m<sup>3</sup> / year.
- 5.48 The proposed development would represent a slight increase in floorspace and a change of use. This development is also speculative so the future occupancy rate has been calculated based on a BREEAM water calculation. The applicant’s evidence and proposed measures show that the calculated water demand for the new building would be around 1,272m<sup>3</sup> / year based on measures including the rainwater harvesting for the WC’s, water efficient fittings and no external uses such as vehicle washing or irrigation. These rates are precautionary based on a 24 hour working shift pattern 365 days a year.
- 5.49 CBC Officers and our consultants have considered the report and agree with the assumptions and conclusions. It is therefore considered that, assuming the development is implemented in accordance with the evidence presented, the development would be ‘water neutral’. Conditions are therefore required to ensure compliance with the proposed measures (to secure efficient water fittings and rainwater harvesting) and a further condition due to the speculative nature of the application to control possible water intensive vehicle washing which could be associated with a Class B8 use. Any irrigation measures also need to be considered further and are also proposed to be agreed via a landscape management condition.
- 5.50 Based on these findings an Appropriate Assessment document is being prepared and sent to Natural England for comment (as required under Habitat Regulations). A reasonable time period is required for that consultation.

## Developer contributions

- 5.51 The development attracts the Manor Royal contribution, which is used towards public realm improvements in the business district. This is charged at a rate of £2 per square metre of new floorspace created. The total GIA for the development is 5,782 sq m of which when offset against the 5,200 sq m to be removed results in a total net increase of 672 sq m which equates to a total contribution of £1,344.
- 5.52 Further contributions to be included in the S106 Legal Obligation / Agreement include a Travel Plan monitoring fee £3,500 and there may be a financial contribution identified for off site air quality measures (towards cycle provision in Manor Royal) if suitable on site measures are not agreed.

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## **CONCLUSIONS:-**

- 6.1 The principle of redeveloping this site in the main employment area to create more modern employment floorspace is acceptable in policy terms. The design of the building is functional but is also considered visually acceptable and appropriate in its setting. Overall, the surrounding street environment is considered to be improved with the rationalisation of the site accesses and the creation of two larger areas of landscaping at either end of the site. The development is not considered to have a detrimental impact on the amenities of neighbouring occupiers.
- 6.2 The proposal has been designed to meet the operational needs for the use with adequate parking for cars, lorries and cycles. The building design is considered to address the relevant sustainability policies and the drainage requirements can be addressed. Ecology measures and protected species have been addressed through lighting design and landscaping and is considered policy compliant on these matters. The development has also demonstrated water neutrality subject to conditions to secure the measures proposed are delivered and retained in perpetuity.
- 6.3 Subject to consultation on the Appropriate Assessment with Natural England, the securing of the required developer contributions through a legal agreement, and the imposition of the conditions listed below, it is recommended that planning permission be granted.

## **RECOMMENDATION RE: CR/2022/0503/FUL:-**

Delegate the decision to PERMIT to the Head of Economy and Planning, subject to the conclusion of a consultation period on the Appropriate Assessment with Natural England, the conclusion of the Section 106 Legal Obligation/Agreement, and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. (i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:  
(a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study (WSP Document 'Phase 1 Environmental Assessment - 1-21 Crompton Way' dated December 2021 (70091568), in accordance with BS10175:2011; and, unless otherwise agreed in writing by the Local Planning Authority,  
(b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.  
(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (b) above that any remediation scheme required and approved under the provisions of (i) (b) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:  
a) as built drawings of the implemented scheme;  
b) Photographs of the remediation works in progress; and  
c) Certificates demonstrating that imported and/or material left in situ is free from contamination.  
Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i) (b).

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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, agreed in writing with the Local Planning Authority. REASON: To safeguard the health of future residents or occupiers of the site in accordance with Crawley Borough Council Local Plan Policy ENV10 and the NPPF.

REASON WHY PRE-COMMENCEMENT: This condition is required pre-commencement as it relates to how contamination will be investigated and remediated during demolition, construction and then during operation.

4. No development shall commence until the vehicular access serving the development has been constructed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of road safety in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No part of the development shall be first occupied until such time as the existing vehicular accesses onto Crompton Way has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.  
REASON: In the interests of road safety and in the interests of visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. No part of the development shall be first occupied until the vehicle parking / lorry spaces and turning areas have been constructed in accordance with plans and details submitted to and approved by the Local Planning Authority. Such provision shall thereafter be retained for the parking and turning of lorries and cars.  
REASON: To provide adequate on-site car parking space for the development in accordance with policies with GD3 and IN4 of the Crawley Borough Local Plan 2015-2030.
7. Notwithstanding the details supplied as part of the application no part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. Once provided and operational, the spaces shall thereafter be retained at all times for their designated purpose.  
REASON: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies in accordance with policy IN3 and IN4 of the Crawley Borough Local Plan 2015-2030.
8. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided and made operational in accordance with plans and details submitted to and approved by the Local Planning Authority. The EV charging spaces shall be made operational on first occupation of the unit and such provision shall thereafter be retained.  
REASON: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies and the relevant provision of the National Planning Policy Framework.
9. 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),
  - Access arrangements from the public highway, including temporary accesses and alterations to existing accesses,

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- detailed measures set out within a Construction Phase Surface Water Management plan to address drainage and runoff during construction
- Site specific measures to control and safeguard air quality (dust and emissions) in accordance with the mitigation measures set out in Section 6.1 of the submitted Air Quality Assessment (July 2022)
- details of public engagement both prior to and during construction works.

REASON: In the interests of highway safety, to control air quality and to safeguard the amenities of the area in accordance with policies CH3, ENV8 and ENV12 of the Crawley Borough Local Plan 2015-2030.

REASON WHY PRE-COMMENCEMENT CONDITION: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.

10. No unit hereby permitted shall be occupied unless and until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority in respect of that unit. The Travel Plan for each unit once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.  
REASON: To encourage and promote sustainable transport modes in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015-2030.
11. No above ground development shall commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
  - Management of the shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.The Bird Hazard Management Plan shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: It is necessary to manage the roofs in order to minimise their attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport.
12. No solar panels shall be installed until full details of PV and solar thermal schemes have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved schemes are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.  
REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigation and surveillance equipment or glint and glare issues.
13. Within three months of the occupation of each unit (Unit 1, 2 or 3) forming part of the development, a post construction report shall be submitted to and agreed in writing by the Local Planning Authority, verifying that the unit or the development as a whole has achieved the minimum Energy and Water standards for BREEAM 'Excellent'.  
REASON: In the interests of sustainable design and construction in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.
14. No above foundation works shall commence until details of the provisions made within the development to enable the building/s to be 'network ready' in the event that a District Energy Network is delivered in the vicinity have been submitted to and agreed in writing by the Local Planning Authority. Once agreed the infrastructure provision (ductwork and routing) shall thereafter be constructed and maintained in accordance with the approved details.  
REASON: In the interests of environmental sustainability, in accordance with policy ENV7 of the Crawley Borough Local Plan 2015-2030.
15. No development shall be carried out unless and until a schedule of materials and finishes and, where so required by the Local Planning Authority, samples of such materials and finishes to be used for external walls (and roofs) of the proposed building(s) 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.

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16. The development hereby permitted shall not be carried out until a Tree Protection Plan has been submitted to and agreed by the Local Planning Authority. The agreed tree protection measures must be fully implemented prior to the commencement of site setting up activities or demolition and thereafter maintained for the duration of the construction works.  
REASON: To ensure that the trees to be retained are not compromised during the construction of the development in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030.  
REASON why pre-commencement: As site setting up activities involve risk to nearby trees and to ensure that no harm occurs to trees that are being retained.
17. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal and Preliminary Roost Assessment (MKA Ecology Ltd, July 2022) and the Bat Assessment Report (Eight versa Lt, August 2022).  
REASON: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and to accord with policy ENV2 in the Crawley Borough Local Plan 2015-2030.
18. Prior to any preparation works taking place on the site an invasive non-native species protocol shall have been submitted to and been approved by the Local Planning Authority. This shall include details of the containment, control and removal of the Wall Cotoneaster and the Three-cornered Garlic present on site. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.  
REASON WHY PRE COMMENCEMENT: To allow the Local Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991.
19. Prior to the commencement of any works above slab level, a Biodiversity Enhancement Strategy for protected and Priority species shall have been submitted to and been approved in writing by the Local Planning Authority.  
The content of the Biodiversity Enhancement Strategy shall include the following:  
a) Purpose and conservation objectives for the proposed enhancement measures;  
b) detailed designs or product descriptions to achieve stated objectives;  
c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);  
d) persons responsible for implementing the enhancement measures; and  
e) details of initial aftercare and long-term maintenance (where relevant).  
The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.  
REASON: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030.
20. The development be implemented in accordance with the hard and soft landscaping details plan shown on the approved plans. 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 accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
21. Prior to the first occupation of any Unit, a Landscape Management Plan which covers a period of no less than 15 years shall have been submitted to and been approved in writing by the Local Planning Authority. The landscape management plan shall include  
- a programme for implementation, long term design objectives, long term management responsibility and maintenance schedules for all landscaped areas,  
- details of how the on-site landscaping will be irrigated (if required to allow the trees to become established) without using potable water, and

# Agenda Item 6

- details of how the landscape management plan complements with the Biodiversity Strategy required under condition 19 above.

The approved landscaping details shall be implemented in full including on site completion of initial biodiversity enhancements within the first available planting season and thereafter maintained in accordance with the Landscape Management Plan.

REASON: In the interests of visual amenity of the area in accordance with Policy CH3 of the Crawley Borough Local Plan and the Manor Royal SPD, and in order to comply with the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.

22. No unit shall be occupied until all water fittings and appliances have been installed in that unit in accordance with details that have first been submitted to and been agreed in writing by the Local Planning Authority. This shall include the number of fittings and detailed specification to be installed in each unit, the specification consistent with BREEAM UK Construction 2018 Level 4 (Table 8.3 Technical Manual) components with the performance values for each fitting specified. The schedule should demonstrate that the fittings achieve or exceed the water efficiency measures specified in the agreed Water Neutrality Report Version 8 (provided by MBA Consulting). The water fittings and appliances shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

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

23. No above ground development shall take place until full details of the rainwater harvesting system to be provided for each unit has been submitted to and agreed in writing by the Local Planning Authority. No building shall be occupied until the agreed rainwater harvesting system has been installed and has been demonstrated to the Local Planning Authority to be operational in accordance with the agreed details. The system shall thereafter be maintained for the lifetime of the development.

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

24. No part of any unit or its service /parking area shall be designated, equipped, or used for vehicle washing without the prior written consent of the Local Planning Authority.

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

25. No above ground construction including the fixing of any finished floor levels shall take place until further details are provided that demonstrate the assumptions set out within the submitted flood risk assessment would not increase the risk of flooding off site and that adequate compensatory flood storage has been provided to serve the development.

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

26. No above ground development shall take place on site until a Flood Evacuation Plan for Unit 3 has been submitted to and agreed in writing by the Local Planning Authority. Once agreed the development shall be implemented and maintained in accordance with the agreed measures.

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REASON: This is major development partially within a Zone 2 floodplain and it is essential that future occupiers have a safe means of escape in the event of a flood event in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

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

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

28. Prior to the first occupation of any unit within the development a site specific maintenance manual for the site wide SUDs drainage infrastructure shall have been submitted to, and been approved in writing by the Local Planning Authority. The SUDs drainage infrastructure shall be maintained in accordance with the approved document.

REASON: To ensure the long-term maintenance and management of the drainage system, to prevent the increased risk of flooding in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, including any future amendments, the proposed building hereby approved shall be used for storage and distribution (B8) use only and for no other purpose defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), without the prior written consent of the Local Planning Authority.

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

## INFORMATIVE(S)

1. The applicant is advised that the above condition 3 on land contamination has been imposed because the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

To satisfy the condition a desktop study including conceptual model, shall be the very minimum standard accepted. Pending the results of the desk top study, the applicant may have to satisfy the requirements of (i) (b) and (i) (c) of the condition.

It is strongly recommended that in submitting details in accordance with this condition the applicant has reference to Land Contamination Risk Management (LCRM). This is available on the .GOV website below (last updated April 2021) :-

<https://www.gov.uk/government/publications/land-contamination-risk-management-lcrm>

2. 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.

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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.

3. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer. To make an application visit [developerservices.southernwater.co.uk](https://developerservices.southernwater.co.uk) and please read our New Connections Services Charging Arrangements documents which are available to read on our website via the following link: [southernwater.co.uk/developing-building/connection-charging-arrangements](https://southernwater.co.uk/developing-building/connection-charging-arrangements). For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
4. With regard to SURFACE WATER drainage, Thames Water advise that if the developer follows the sequential approach to the disposal of surface water they would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. For further information please refer to the website.  
<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
6. There are public sewers crossing or close to your development. If you're planning significant work near sewers, it's important that you minimize the risk of damage. Thames Water will need to check that the development doesn't limit repair or maintenance activities, or inhibit the services they provide in any other way. The applicant is advised to read the guide working near or diverting pipes.  
<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipe>
7. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please visit Crane Permits ([gatwickairport.com](http://gatwickairport.com)) or email [cranes@gatwickairport.com](mailto:cranes@gatwickairport.com)
8. 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.
9. The applicant's attention is drawn to the design and security advice provided by Sussex Police in its consultation response dated 16<sup>th</sup> September 2022.
10. The applicants are strongly encouraged to use lights with a warm white spectrum (ideally <2700 Kelvin) to reduce the blue light component and attraction effect upon insects which light sensitive bats prey upon.
1. NPPF Statement



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

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



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

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