

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Rooms A B & C - New Town Hall**, on **Tuesday, 7 March 2023** at **7.30 pm**

Nightline Telephone No. 07881 500 227



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

Please contact Democratic.Services@crawley.gov.uk if you have any queries regarding this agenda.

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Switchboard: 01293 438000
Main fax: 01293 511803
Minicom: 01293 405202
DX: 57139 Crawley 1
www.crawley.gov.uk

Town Hall
The Boulevard
Crawley
West Sussex
RH10 1UZ

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

Part A Business (Open to the Public)

	Ward	Pages
1. Apologies for Absence		
2. Disclosures of Interest		
In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.		
3. Lobbying Declarations		
The Planning Code of Conduct requires any councillors who have been lobbied, received correspondence, or been approached by an interested party regarding any planning matter to declare this at the meeting at which the matter is being considered. Councillors should declare if they have been lobbied at this point in the meeting.		
4. Minutes		5 - 10
To approve as a correct record the minutes of the Planning Committee held on 6 February 2023.		
5. Planning Application CR/2022/0783/FUL - Station Forecourt, Three Bridges Station, Haslett Avenue East, Three Bridges, Crawley	Pound Hill South & Worth; Three Bridges	11 - 36
To consider report PES/411a of the Head of Economy and Planning.		
RECOMMENDATION to PERMIT		
6. Objections to the Crawley Borough Council Tree Preservation Order - St Joan Close No. 1 - 04/2022	Langley Green & Tushmore	37 - 52
To consider report PES/429 of the Head of Economy and Planning.		
RECOMMENDATION to CONFIRM.		

	Pages
7. Section 106 Monies - Q3 2022/23 To consider report PES/428 of the Head of Economy and Planning.	53 - 60
8. Supplemental Agenda Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.	

With reference to planning applications, PLEASE NOTE:

Background paper - Crawley Borough Local Plan 2015-2030

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Crawley Borough Council

Minutes of Planning Committee

Monday, 6 February 2023 at 7.30 pm

Councillors Present:

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

Officers Present:

Siraj Choudhury

Head of Governance, People & Performance

Jean McPherson

Group Manager (Development Management)

Clem Smith

Head of Economy and Planning

Jess Tamplin

Democratic Services Officer

Hamish Walke

Principal Planning Officer

1. Disclosures of Interest

No disclosures of interests were made.

2. Lobbying Declarations

The following lobbying declarations were made by councillors:

Councillors Ali, Burrett, Jaggard, K Khan, S Mullins, Mwagale, Pritchard, Raja, and Sivarajah had been lobbied but had expressed no view on application CR/2022/0187/FUL – Land to the North of Fleming Way (Eastman House and former Flight Training Centre), Manor Royal.

3. Minutes

The minutes of the meeting of the Planning Committee held on 10 January 2023 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2022/0187/FUL - Land to the North of Fleming Way (Eastman House and Former Flight Training Centre), Manor Royal, Crawley

The Committee considered report [PES/410a](#) of the Head of Economy and Planning which proposed as follows:

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Planning Committee (40)

6 February 2023

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 Lane), parking and landscaping.

Councillors Ali, Burrett, Jaggard, and Mwagale declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought permission for the construction of two buildings for storage and distribution use on a 4.3 hectare site within the Manor Royal Main Employment Area. The Officer updated the Committee that, since the publication of the report, an additional representation had been received from the Planning Department at Gatwick Airport (GAL) regarding the safeguarding boundary for the possible development of a second runway. Further information had also been provided by the applicant, and subsequent discussion had led to amendments to conditions 9 and 23 which were now to read as follows:

- Condition 9: *The development hereby approved shall be carried out in accordance with the details set out within the submitted Sustainability Statement for Planning, prepared by CPW dated 23rd February 2022 (Ref: 210911). 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.*
- Condition 23: *Within six 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.*

The Committee heard that it had also been necessary to amend the recommendation, so the following clause was to be added to the recommendation in report PES/410a: *Agreement to revised condition 2 listing the amended drawings for Earthworks and External Materials as current versions (as listed in the agenda) do not reflect retained trees.* The Officer then gave details of the various relevant planning considerations as set out in the report.

Anthony Watkins, the applicant, spoke in support of the application. Matters raised included:

- The existing buildings at the site were no longer suitable; the proposed development would provide a high quality, flexible space which was hoped to attract many types of occupier.
- The objection from GAL regarding the airport's safeguarding boundary was noted, but it was felt that greater weight should be given to the current Local Plan than the emerging Local Plan.
- The proposals had demonstrated water neutrality, a net biodiversity gain, a reduction in carbon emissions, and a BREEAM 'Excellent' rating.

The Committee then considered the application. Discussion ensued regarding the location of the Gatwick Airport safeguarding boundary as set out in the emerging Local Plan, which ran through the application site. The Officer explained that some weight was able to be given to the emerging Local Plan in considering this matter, but this was at a very early stage in the process and was soon due to be subject to a new Regulation 19 consultation (under which objections and comments could be raised), and so the boundary was not yet finalised. The current Local Plan did not show the boundary as being in conflict with the application site. The Committee was therefore requested to consider the balance between the current and emerging Local Plans.

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The following points were also raised as part of the discussion:

- The proposed tree loss and resultant ecology/biodiversity loss was unfortunate. The Committee was informed that the most substantial trees were to be retained, replacements were to be planted, and all existing and replacement trees at the site were likely to be protected under a new area Tree Preservation Order. Off-site mitigation was also proposed for tree/ecology loss at Crawters Brook in Manor Royal, of which some Committee members raised concerns. The Officer highlighted that a Biodiversity Net Gain report was required via the S106 agreement.
- It was queried whether the site would be in use 24 hours a day and whether there would be an increase in vehicle movements in the area. The Officer highlighted that it was possible the building could be in use during off-peak hours but there was not likely to be a negative impact on the site's neighbours as the majority of noise and activity would take place away from the residential flats as the loading doors were on the east side of the building. Traffic modelling had shown that the local road network was able to cater for more vehicle movements.
- A question was raised about the visibility of the proposed development from the long distance view splays from Target Hill and Tilgate Park. It was highlighted that the building was located far from these sites and would therefore not significantly impact the views.
- The energy-efficient nature of the development was praised. It was noted that an excess of electricity may be generated, which would preferably be used by another building in the locality, or may be fed into the national grid.
- It was highlighted that some standard clauses were missing from condition 3 – the Committee agreed that the wording be amended and that this form part of the substantive recommendation.

RESOLVED

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. 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 of report PES/410a;
 - 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;
3. Agreement to revised condition 2 listing the amended drawings for Earthworks and External Materials as current versions (as listed in the agenda) do not reflect retained trees;

And subject to the conditions set out in report PES/410a (as amended).

5. Planning Application CR/2022/0503/FUL - 1-19 (odds) Crompton Way, Northgate, Crawley

The Committee considered report [PES/410b](#) of the Head of Economy and Planning which proposed as follows:

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6 February 2023

Demolition of existing buildings and erection of 3 no. buildings for use class B8 including details of access, servicing, landscaping and boundary treatments, and associated infrastructure and earthworks (amended description).

Councillors Ali, Burrett, Jaggard, and Mwagale declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought permission for the construction of one large building split into three separate units for commercial use within the Manor Royal Business District. The Officer updated the Committee that, since the publication of the report, one amendment to a condition and one additional condition were required as follows:

- Amended condition 4: *No part of the development shall be first occupied 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.*
- Additional condition 30: *Prior to the first occupation of any unit, the package of mitigation measures, as detailed in the KAM Costing for Showers Document dated V2 Jan 23, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.*

REASON: To ensure that the development does not have a negative impact on air quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 – 2030 and to accord with the air quality mitigation contained within the submitted Emissions Mitigation Statement provided by TRC dated November 2022.

It was also highlighted that the amount of Manor Royal contribution stated in paragraph 5.51 of the report was incorrect, so this figure was to be amended. The Officer then gave details of the various relevant planning considerations as set out in the report.

Joshua Mellor, the agent, spoke in support of the application. Matters raised included:

- The proposed development was for storage or distribution use, which was a supported use within the Manor Royal Business District and would enhance the role and function of the area.
- The applicant had worked closely with the Council's Planning Officers to make positive changes to the design and landscaping of the proposals.
- Water neutrality and a BREEAM 'Excellent' rating were achieved through energy-saving means such as water-efficient fittings, PV panels, and heat pumps.

The Committee then considered the application. Committee members raised queries regarding the proposed parking and access at the site, to which the Planning Officer provided clarification. It was confirmed that the creation of new accesses along the south edge of the site would not cause any loss of on-street parking as there were currently double yellow lines along that section of Crompton Way. A further concern was raised regarding a shortfall of lorry parking spaces at each of the three units. The Officer clarified that the precise layout of the car park was a decision for the future tenant so was subject to change, however the over-provision of car parking spaces at Units 1 and 3 ensured that there was sufficient vehicle parking in total. In general, the proposed plans would rationalise the existing parking arrangements, and there had been no objection from West Sussex County Council as the Highways Authority.

A concern was raised regarding the potential presence of asbestos in the existing buildings. The Officer confirmed that the contaminated land specialist had requested

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a detailed site investigation report which would include an asbestos assessment, which was secured as part of condition 3.

RESOLVED

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 conditions set out in report PES/410b (as amended) and the following additional condition:

30. Prior to the first occupation of any unit, the package of mitigation measures, as detailed in the KAM Costing for Showers Document dated V2 Jan 23, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the development does not have a negative impact on air quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 – 2030 and to accord with the air quality mitigation contained within the submitted Emissions Mitigation Statement provided by TRC dated November 2022.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.30 pm.

R D Burrett (Chair)

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 7 March 2023
REPORT NO: PES/411(a)

REFERENCE NO: CR/2022/0783/FUL

LOCATION: STATION FORECOURT, THREE BRIDGES STATION, HASLETT AVENUE EAST, THREE BRIDGES, CRAWLEY
WARD: Three Bridges, Pound Hill South and Worth
PROPOSAL: IMPROVEMENT WORKS TO RAILWAY STATION FORECOURT, INCLUDING RATIONALISATION OF BUS FACILITIES WITH AREA FOR BUS HUB, CAR, CYCLE AND MOTORCYCLE PARKING, TAXI RANK, AND DROP OFF/PICK UP AREAS; HIGHWAY ALTERATIONS; AND THE PROVISION OF PUBLIC (PEDESTRIAN/CYCLE) ACCESS TO EASTERN SIDE OF STATION FROM STATION HILL INCLUDING CYCLE PARKING, TICKET MACHINE AND ENTRANCE BUILDING AND REVISED DEPOT AND SIGNAL STAFF PARKING

TARGET DECISION DATE: 3 February 2023

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Crawley Borough Council
AGENTS NAME: Project Centre Ltd

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
1000004386 3P 001	E	Location Plan
1000004386 3P 003	C	Land Ownership Plan
1000004386 3P 009	B	Site Plan Wider Context
1000004386 3P 010 00	I	Site Plan
1000004386 3P 010 01	F	General Arrangement Sheet 1 of 4
1000004386 3P 010 02	E	General Arrangement Sheet 2 of 4
1000004386 3P 010 03	H	General Arrangement Sheet 3 of 4
1000004386 3P 010 04	C	General Arrangement Sheet 4 of 4
1000004386 3P 011	A	Parking Provision Existing
1000004386 3P 012	E	Parking Provision Proposed
1000004386 3P 014	C	Forecourt Parking Detail
1000004386 3P 013	C	Eastern Access Parking Provision
1000004386 3P 019	C	Eastern Access Sections Sheet 1
1000004386 3P 020	A	Eastern Access Sections Sheet 2
1000004386 3P 021	A	Eastern Access Sections Sheet 3
1000004386 3P 022	A	Gateline Structure Elevations and Sections 1 of 2
1000004386 3P 023	A	Gateline Structure Elevations and Sections 2 of 2
1000004386 3P 024	B	Eastern Access Tree Removal Plan
1000004386-3P-026	B	Indicative Bus Hub Facility - Concept Design
1000004836-3P-0025	A	Two Tier Cycle System
1000004386-3P-027	A	Eastern Access SECTIONS THROUGH NEW PARKING.pdf

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1000004386-3P-028-01	A	SOFT LANDSCAPING 1 OF 2
1000004386-3P-028-02	A	SOFT LANDSCAPING 2 OF 2
1000004386-3P-029-01	A	HARD LANDSCAPING 1 OF 2
1000004386-3p-029-02	A	HARD LANDSCAPING 2 OF 2

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	Network Rail	no objection, Informatives recommended
2.	Environment Agency	no objection to revised flood risk assessment report subject to conditions
3.	WSCC Highways	no objection subject to conditions
4.	CBC Drainage Officer	no objection subject to conditions
5.	CBC Planning Arboricultural Officer	no objection subject to conditions
6.	UK Power Networks	no objection
7.	CBC Sustainability Team	support the scheme, comments provided
8.	Walking and Cycling Forum	support the scheme
9.	CBC Contaminated Land Officer	no objection subject to conditions
10.	CBC Environmental Health Officer	no objections
11.	CBC Refuse & Recycling Team	no comments received
12.	CBC Urban Design	no objection, comments provided
13.	WSCC Lead Local Flood Authority	no objection, comments provided
14.	CBC Air Quality Officer	no objection, comments provided on revised report, an emissions mitigation assessment is required
15.	NHS South East Coast Ambulance Service	no comments received
16.	CBC Economic Development	no comments received
17.	Manor Royal Business District	no comments received
18.	Ecology Advisor	no objections subject to conditions
19.	Metrobus	support the scheme, comments provided
20.	CBC Taxi Licensing Service	support the scheme, comments provided
21.	Crawley Hackney Carriage Association	object to the scheme

NEIGHBOUR NOTIFICATIONS:-

The Bookstall;
G Barker and Son;
Network Rail Infrastructure Ltd Panda Hire Ltd;
Thirstop News Kiosk;
Bike Hire Station
Charles Burger Van;
Coffee Zone.

The application was also publicised by site notices displayed on 14th December 2022, with an expiry date of 7th January 2023.

RESPONSES RECEIVED:-

17 representations in support, referring to:

- A long overdue upgrade, current forecourt not fit for purpose
- Improved accessibility and safer travel routes, with pedestrian priority
- Will benefit all
- Better public realm and landscaping
- Encourage public transport use
- Better bus passenger waiting area and bus stop provision

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- Improves safety at the front of the station, including pedestrian and cycle routes across site frontage, Williams Way and wider footpath under the bridge
- Support loss of right hand turn – a trade-off to improve access for other road users
- Better cycle parking
- Will increase air quality
- Improves access for East Grinstead residents

1 letter of support from Sussex Area Ramblers, referring to:

- Support for expansion of provision for walking
- Pleased to see priority for pedestrians and cyclists
- Widened footway/cycleway will be of benefit
- Supportive of inclusion of soft landscaping
- Suggest use of footway/cycle way is monitored regarding pedestrian safety in the shared space

91 representations objecting on the grounds of :

- Proposals overall will add to traffic congestion and make existing situation worse
- Residents' views have been ignored
- No consultation with taxi drivers
- Waste of tax payers money
- Traffic modelling
 - not representative of the times of day for peak traffic
 - data from pre-Covid times
 - have not assessed the starting point of journeys
 - data justifies retention of right hand turn and lane under the bridge
- Loss of right hand turn
 - will discriminate against residents on the eastern side of the town and beyond – Pound Hill, Maidenbower, Copthorne, East Grinstead
 - will lead to longer journeys and increased traffic, especially on residential streets and by schools
 - increased carbon footprint
 - increased taxi charges
 - increase in use of fuel
 - increase in pollution and emissions in an Air Quality Management Area
 - will result on illegal traffic manoeuvres, including U turns
 - existing right hand turn works well
- Reduction of one lane under the railway bridge and along Haslett Avenue East
 - removing capacity
 - will add to traffic delays
 - difficulties of exiting station to enter lane to turn north into Hazelwick Avenue as queues block the lanes
- Station Hill access
 - Drop off was promised at an earlier consultation
 - Lack of vehicle drop off means people will be dropped off elsewhere
 - Not enough staff parking for signal depots, will affect train services
 - Barrier needed along access road, not bollards
 - Safer route for pedestrians and cyclists needed
 - Steps too close to depot fence
- Insufficient spaces for taxis
- Accommodation for replacement buses will affect drop off spaces
- A revised design needed– roundabout/traffic lights
 - at Williams way
 - to west side of the Station - in area of snack van/ Stephenson Way
 - a tunnel
- No need for a physical ticket office at the main entrance
- No need to accommodate cyclists
- No need for public space

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- This solution was tried before and did not work
- Taxis will use the drop off area too
- A shelter needed for the pick up area for all customers
- Needs to take into account additional house building in area
 - Additional traffic wanting to use the station
 - No cycle way and limited bus routes from development in Crawley Down

2 objections from staff/ union representatives at the Three Bridges depot/signalling centre on the grounds of

- Concerns at eastern access proposals as site used by staff and for deliveries,
- Signalling staff will not be able to get to the building or their car park
- No safe walking route for members of the public
- Plans not as previously agreed
- Barrier needed rather than bollards and at bottom of the entrance
- Steps too close to the boundary fence

3 representations making comments:

- Improvements supported but concern at loss of right hand turn
- Support new entrance but need drop off/pick up area
- Long term benefits recognised but parking/ loading bay for snack bar required

REASON FOR REPORTING TO COMMITTEE:-

The application has been submitted by Crawley Borough Council.

THE APPLICATION SITE:-

- 1.1 Three Bridges Railway Station is located on Haslett Avenue East, to the east of Crawley Town Centre at the intersection of Brighton Main Line and the Arun Valley Line. Three Bridges Railway Station is a significant transport interchange and commuter hub, providing taxi rank, commuter car parking, coach parking, bus and cycle facilities. Haslett Avenue is a busy A road (A2220). It runs east/west serving Crawley Town Centre and surrounding residential areas, and in the vicinity of the Station is a dual carriageway. The Railway Station is served by Southern and Thameslink services with approximately hourly or half hourly services to London Victoria, Bedford via London Bridge, Cambridge, Peterborough via Redhill, Brighton, Horsham, Bognor Regis, Portsmouth and Southampton.
- 1.2 The red line of the application site is in two parts. One section comprises the Station forecourt, taxi rank, passenger drop off /pick up waiting area and sections of the highway along Haslett Avenue East, including the existing bus stops. The second element is located off Station Hill and the eastern station depot area with associated parking.
- 1.3 There is a varied land ownership across the application site, comprising WSCC highway land, land owned by Crawley Borough Council, a small section of the forecourt area and part of the land on the eastern access side by the depot is owned by third parties and the remainder is Network Rail land.
- 1.4 The immediate surroundings of the site comprise road, rail and electricity infrastructure, commercial premises west of the Station car park, along Haslett Avenue East and Hazelwick Avenue and residential dwellings along Station Hill, Three Bridges Road and Hazelwick Road,
- 1.5 Public access to the Railway Station is currently only available from the station forecourt fronting Haslett Avenue East via the ticket office to the front of the building and by a western entrance. There are pedestrian crossing points along Haslett Avenue East.
- 1.6 The station is served by two bus stops in each direction. West bound (Crawley) services comprise Stop A which is located to the front of the Station car park, and Stop C (which is the Fastway 20 stop) is adjacent the northern wall of the electricity substation. East bound services are located on the other

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side of Haslett Avenue – Stop D (Fastway 20) is located by the electricity pylon just before the north filter lane into Hazelwick Avenue and Stop B is located directly opposite the station, just before the Snooty Fox PH.

- 1.7 Cycle parking for commuters is located to the west of the Station building and comprises racks for 276 cycles.
- 1.8 Vehicle parking for commuters is provided to the west of the station and totals 498 car spaces and 25 motorcycle spaces.
- 1.9 Vehicle access to the Station entrance is gained via Williams Way or from the area to the immediate front of the station which is also the drop off area with space for 4 vehicles. Westbound vehicles can currently access the station by a left turn into the drop off area or a left turn into Williams Way itself. Eastbound vehicles turn right at the signalised junction on Haslett Avenue East and pass through the drop off zone, and into Williams Way.
- 1.10 In terms of exit arrangements, vehicles wishing to continue travelling west can leave the station via a left turn onto Haslett Avenue East, whilst vehicles travelling east make a right turn by passing through the drop-off area and onto Haslett Avenue East via a signalised junction.
- 1.11 A taxi rank is located at the front section of the site to the west of the Station building, adjacent to Haslett Avenue East and the westbound bus stop. There are permits for 8 taxis to use this area.
- 1.12 The Application Site lies within Flood Zones 1, 2 and 3. The site is within the Air Quality Management Area as defined in the Local Plan.
- 1.13 The Hazelwick Road Conservation Area is to the North-East of the site. It was designated a Conservation Area in March 2013, recognising its local architectural and historic interest as a well preserved late Victorian and early Edwardian era development associated with the expansion of the railways. The application site is separated from the Conservation Area by Haslett Avenue East.

THE PROPOSED DEVELOPMENT:-

- 2.1 The planning application seeks permission for improvement works to the railway station forecourt to promote sustainable forms of travel and to improve accessibility to this transport interchange. The works include the creation of new, larger and better quality public space and gateway feature across the whole of the site frontage along Haslett Avenue East; the rationalisation of the bus facilities with an area for a bus hub; car, cycle and motorcycle parking, taxi rank, and drop off/pick up areas; highway alterations; and the provision of public (pedestrian/cycle) access to the eastern side of the station from Station Hill including cycle parking, a ticket machine and an entrance building, with revised depot and signal staff parking facilities; and space available for public art.

- 2.2 The key works are:

- **Station Forecourt**

The area to the front of the Station Building would be remodelled with the existing vehicle access/egress routes and drop-off zone removed in order to create a new wider station entrance forecourt area with an improved public realm, incorporating planting and street trees to improve the overall visual amenity and to allow for pedestrian and cyclist access only.

The new vehicular entrance into the Station would be via a lefthand turn filter lane for westbound traffic, immediately adjacent to the main carriageway of Haslett Avenue East, which would connect to the main central access spine (Williams Way) into the Station site. Eastbound traffic would turn right at the signalised junction and then use the left-hand turn filter lane. The design of this would slow vehicular movements into the site and incorporates pedestrian and cycle crossings. Give way lines would be provided at Williams Way to prioritise pedestrians and cyclists, with zebra crossings at key points of the forecourt, providing access to the station and associated areas. A lorry loading bay is shown at the front of the site to the south of the lefthand entrance lane.

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The area to the west of the site (currently the taxi rank area) would be reconfigured to provide a second area of public realm for pedestrian and cyclists and would include the enhanced bus stop facilities. It is proposed to upgrade the existing bus stops by amalgamating existing stops A and C with the creation of a 'bus hub', which will incorporate a large shelter with Wi-Fi, charging points, and enhanced information screens. In addition, a new drop off/pick up area for those arriving by private car, enhanced taxi rank, motorcycle parking and revised car parking facilities is proposed. It would also provide an area for replacement buses when required.

- **Shared footway/cycle way**

The westbound carriageway section of Haslett Avenue East (under the railway bridge) would be reduced from three to two lanes to allow for the widening of the footway to create a shared footway and cycleway with a continuous link from the existing cycle path/pavement on Station Hill leading direct to the new Station Forecourt area.

- **Improved pedestrian crossing on Haslett Avenue East**

The existing crossing at the eastern end of the Forecourt (nearest the railway bridge) would be revised to incorporate a reduced number of crossing stages, a shorter crossing distance, larger waiting areas and a more direct route.

To cross Haslett Avenue East, the existing arrangement means pedestrians negotiating three separate crossing points. The proposed arrangement involves pedestrians using two crossings which would be more convenient, safer and quicker. The southern crossing distance is reduced, crossing only two lanes of traffic (arising from the widening pavement /cycle way) instead of the three existing lanes. The plans also incorporate an additional waiting area for pedestrians which would improve safety and enhance amenity, avoiding congestion on the footway during busy times.

In respect of the existing crossing at the western end of the Station, over to Hazelwick Avenue, the design and expanse of the shared surface forecourt in this area would provide better access to the crossing itself. The median island in the carriageway of Haslett Avenue East is to be extended to prevent illegal u-turns and would provide more space for pedestrians waiting to cross the road.

- **A new Eastern Access from Station Hill**

A new access for cyclists and pedestrians only would be provided to the eastern side of the Station (Platform 5) which would extend accessibility of the Station to residential areas to the east of the railway line where residents are currently required to pass under the railway bridge to access to the main station forecourt.

A new barrier would be installed along the access road in order to ensure that the retained parking area is used by depot and signal staff only and to prohibit dropping off and picking up from occurring by members of the public. New cycle racks would be provided alongside this new Station entrance, with a ticket machine. The north bound bus stop would be relocated so that it would be to the south of this entrance.

- **Public Transport**

It is proposed to upgrade the existing westbound bus stop on Haslett Avenue East, by creating a 'bus hub' which would incorporate a large shelter with Wi-Fi, charging points and enhanced information screens. Accessibility to the bus hub would be improved by the overall package of measures described above, including a larger area of public realm.

- **Vehicle Access Arrangements**

In order to improve usability of the Station forecourt for pedestrians and cyclists, and to minimise conflicts and congestion within the Station grounds and along Haslett Avenue East, vehicle right-turns out of the Station forecourt would be banned. The impacts of this in terms of increased eastbound traffic have been considered within the submitted Transport Statement and are analysed below in the Planning Considerations section of this report.

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- 2.3 As part of the application the applicant has submitted various drawings and plans and the following documents:
- Planning, Design and Access Statement
 - Transport Statement
 - Road Safety Audit
 - Utilities Infrastructure Statement
 - Ecology Report
 - Land Contamination Assessment
 - Statement of Community Involvement
 - Flood Risk Assessment
 - Arboricultural Report
 - Air Quality Assessment
- 2.4 Prior to submission of the application, the proposals have been subject to refinement over a number of years by Crawley Borough Council and West Sussex County Councils Major Project teams to develop the submitted design.

PLANNING HISTORY:-

- 3.1 Three Bridges Station has an extensive planning history much of which is historic or relates to the railway engineering depots to the south of the station. More recent applications relating to the station itself include:

CR/2015/0298/FUL CHANGE OF USE FROM CAR PARK TO FARMERS MARKET OPERATING ON SUNDAYS ONLY THROUGHOUT THE YEAR. Refused

CR/2011/0429/NTF PRIOR APPROVAL FOR REPLACEMENT OF THE EXISTING SUBWAY ENTRANCE CANOPY AND STAIRCASE FROM THE SUBWAY TO PLATFORM 5. No objection

CR/2011/0349/NTF PRIOR APPROVAL FOR REPLACEMENT OF THE RAILWAY BRIDGE DECKS. No objection

CR/2006/0613/CON INSTALLATION OF NEW LIFTS TO PROVIDE ACCESS FROM SUBWAYS TO PLATFORM, RAMP ACCESS TO TICKET OFFICE AT FRONT OF STATION, IMPROVEMENT OF DIRECTIONAL SIGNAGE AND MINOR IMPROVEMENTS. No objection.

- 3.2 The Thameslink depot and the Network Rail Operating Centre are accessed from Williams Way and S106 monies were secured from both schemes towards station improvements (CR/2011/0075/FUL - £269,127 and CR/2011/0093/FUL - £161,197)
- 3.3 The Forge Wood Neighbourhood development has requirements from the outline permission CR/2015/0052/NCC that relate to improved cycle parking at the station, and improvements to the pedestrian crossing and bus stop B on Haslett Avenue East.

PLANNING POLICY:-

National Planning Policy Framework (2021)

- 4.1 This document sets out the presumption in favour of sustainable development. Relevant sections for this application include:
- Section 9 – Promoting sustainable transport. This states that opportunities to promote walking, cycling and public transport should be identified and pursued. Patterns of movement should contribute to making high quality places. In considering proposals, sustainable transport should be promoted and safe and suitable access achieved for all. Priority should be given to pedestrian and cycle movement, followed by high quality public transport. Places created should be safe, secure and attractive and also respond to local character and design standards.

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- Section 12 – Achieving well-designed places. The creation of high quality places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Decisions should ensure developments :

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

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

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

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

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

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

Development that is not well designed should be refused.

Crawley Borough Local Plan 2015-2020

4.2 The following policies are relevant to this application:

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

Policy CH2 (Principles of Good Urban Design) – Proposals must support locally distinctive development patterns, landscape character and heritage; create defined frontages and public/private areas; create safe and attractive routes for all; make places that connect with each other and are easy to move through, putting people before traffic 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. Individual or groups of trees that contribute positively to the area should be retained.

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Policy CH6 (Tree Planting and Replacement Standards) – Where development proposals would result in the loss of trees, applicants must demonstrate that the number of replacements is appropriate and accords with the formula set out in the policy.

Policy IN3 (Development and Requirements for Sustainable Transport) – Development should be concentrated in locations where sustainable transport patterns can be achieved through use of the existing transport network, including public transport routes and the cycling and walking network.

Policy IN5 (The Location and Provision of New Infrastructure) – Provision of new or improved infrastructure in appropriate locations will be supported where they add to the range and quality of facilities in the town.

Policy IN6 (Improving Rail Stations) – Any improvements of development at or within the vicinity of railway stations will be expected to enhance the specific roles of the individual stations, the sustainable access to individual stations and ...b) at Three Bridges Station, support its role as a potential parkway station and as a major interchange between the rail, bus and highway network.

Policy ENV8 (Development and Flood Risk) – Development proposals must avoid areas which are exposed to an unacceptable risk of flooding and must not increase the risk of flooding elsewhere.

Policy ENV12 (Air Quality) – Development proposals that do not result in material negative impact on air quality will normally be permitted. Proposals within a declared Air Quality Management Area will demonstrate how mitigation measures will be incorporated that help address objectives identified in the relevant Air Quality Action Plan.

Submission Draft Local Plan (Regulation 19)

4.3 The Crawley Borough Local Plan is in the process of review. Full Council agreed the plan for public consultation on 22nd February 2023 with a consultation period starting on 9th May 2023. Limited weight can be given to the emerging policies, however the following are of note:

- 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 DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy DD4: Tree Replacement Standards
- Policy IN1: Infrastructure Provision
- Policy EP1: Development and Flood Risk
- Policy EP5: Air Quality
- Policy ST3: Improving Rail Stations

Urban Design SPD – Adopted October 2016

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

PLANNING CONSIDERATIONS:-

5.1 The main issues for consideration are:

- Sustainable development and sustainable transport
- Highways impacts
- Parking
- Design

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- Trees and ecology
- Impact upon amenity
- Flood risk
- Contaminated land
- Air quality
- Water neutrality

Sustainable Development and Sustainable Transport

- 5.2 A key objective of the Local Plan is sustainable development, and a range of Local Plan policies are aimed at securing this from all developments, including policies SD1, CH2 and CH3 and specifically to support improvements to sustainable transport options. Policy IN6 specifically identifies the role of Three Bridges Station as a major transport interchange and requires this role to be enhanced. As such, the principle of improvements for all modes and users is a prime consideration for this application.
- 5.3 The works are to be delivered as part of the Crawley Growth Programme which comprises a series of infrastructure investments that seek to support the significant increase in new homes, business investment and employment growth. The works are also supported by the Crawley Local Cycling and Walking Infrastructural Plan (LCWIP), which sees to encourage healthier and sustainable transport choices in Crawley.
- 5.4 The Sustainability Team support the scheme and welcome in particular the widening of the walkway under the railway bridge, which makes provision for safer access and walking, and links to the cycle network; the relocation of the signalised crossing outside the station building for a more direct pedestrian crossing to the east bound bus stop and walking routes east; and the opening of Station Hill to provide pedestrian access and cycle facilities.
- 5.5 The current layout and arrangements have evolved over many years and are dominated by car access arrangements to and from the Station and have resulted in a hostile environment for pedestrians and cyclists. Visually the Station forecourt area is a mass of hard surfacing, mainly black tarmac over which there are a confusing and incoherent mix of parking areas and highway routes across the frontage and onto Haslett Avenue East. The remodelling of this area would be beneficial, both from a highway point of view to encourage sustainable forms of transport, thus effecting a modal switch away from the private car, as well as facilitating an upgrade in appearance and the quality of the public realm. This too would assist in encouraging the use of alternative means of travel to the station, as the environment would be more attractive to pedestrians, cyclists, bus users as well as train passengers.
- 5.6 The area to the immediate front of the Station building would be transformed into a car free zone with new surfacing and landscaping. It would provide a clear and legible environment that would prioritise pedestrian and cycle users within the Station Forecourt area and improve ease of access and improved legibility to the main station entrance. Accessibility to the Station would be further improved, particularly for station passengers living to the east of the railway line, by the new eastern access point on Station Hill, the dedicated cycleway and footway along Haslett Avenue East and improvements and crossings along Williams Way. In addition, changes to the highway arrangements along Haslett Avenue East would make it easier and safer for pedestrians to cross the road and would improve the perception of problems of pedestrian accessibility from the areas to the north and west of the Station.
- 5.7 Furthermore, the enhancement to provide a bus hub would be a significant improvement for bus users in terms of better waiting area, improved access and crossing and information facilities. In addition, the bus stop on Station Hill would be moved closer to the new entrance point. These improvements would assist in promoting public transport as a realistic alternative to the private car and would be a major factor in enhancing the role of Three Bridges Station as a transport interchange.
- 5.8 Metrobus, the operator of bus services in Crawley, are supportive of the scheme. They comment that

“Three Bridges Station is a key location for local bus services with around 600,000 bus user journeys made to and from the bus stops there each year. Around 5 million bus user journeys are made on

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routes which serve Three Bridges and the reliability of those is affected by the flow of traffic through the area.

Metrobus is generally supportive of the scheme which delivers three key benefits to these bus users:

- Stop A (directly outside the station) is currently on a cramped island with a small bus shelter, too small for this busy stop. This will be replaced by a much larger island with a bespoke Superhub facility*
- Fastway route 20 towards Southgate and Broadfield - and from Gatwick Road and Gatwick - currently stops at stop C, some 200m away from the station. Stop C has no shelter and is on a narrow pavement. Buses block the flow of traffic on Haslett Avenue while stopped there. The proposal allows this stop to be closed, with all westbound buses stopping at the new Superhub at stop A at the front of the station*
- The pedestrian access between the station and the bus stops will be improved.*

The new station entrance on to Station Hill is likely to be popular with Maidenbower residents. Route 100 provides a regular bus service to the whole of Maidenbower and a southbound stop is well located near the new station entrance, although the northbound stop is some distance to the north. We are in discussions about moving the northbound stop closer to the new entrance but it would also be beneficial if the southbound stop were to be provided with a shelter and Real Time Information screen.

Our only concern relates to reducing the westbound carriageway of Haslett Avenue East under the railway bridge from three lanes down to two. This will reduce capacity which could impact on buses but we understand that the removal of right turns from the railway station will increase the green time at the traffic lights here, which will mitigate the reduction in lanes. During Covid, the nearside lane here was temporarily turned in to a bus and cycle lane which worked incredibly well as a much needed priority lane for these sustainable modes, which could have been brought back under this proposal.

We look forward to working with Crawley Borough Council to implement these plans.”

5.9 The Crawley Walking and Cycling Forum support the scheme and comment that,

‘The Forum strongly supports this application, noting that it will replace the dangerous and unattractive walking and cycling routes and train/bus interchange routes with safe and attractive routes. This will encourage many more trips to the station to be undertaken via active travel, contributing to climate, pollution and health targets. At the same time the traffic modelling shows that this will improve the flow of motorised traffic.’

5.10 Overall, the proposals would accord with the principles of sustainable development and would significantly support the aims of improving sustainable transport links in the Borough and effecting a modal shift to alternatives to the use of the private car. The principle of the development is thus in accordance with policies SD1, CH2, CH3 and IN6 of the Local Plan. The specific details and impacts of the various improvements are assessed in the following sections.

Highways Impacts

5.11 The main highways related aspects of the scheme are the reconfiguration of the access arrangements, the pedestrianisation of the forecourt, the provision of the cycle lane along Haslett Avenue East which would reduce the three lanes for car traffic down to two under the railway bridge, the closure of the right hand turn out of the Station and alterations to the pedestrian crossings along Haslett Avenue East.

5.12 The pedestrianisation of the forecourt area, including the revised access arrangements with the removal of the current drop off zone and creation of the cycle lane are considered to be major positive aspects of the scheme to improve sustainable transport links to the Station. However, these works would have associated implications for traffic flows along Haslett Avenue East particularly given the existing highway capacity and the operation of the signalised junctions. Thus if these improvements are undertaken, including the reduction in the westbound lanes from 3 to 2 to accommodate the cycle lane, with the retention of the right hand turn, this would require an additional traffic light sequence which would increase congestion, adversely affecting traffic flows along Haslett Avenue East, and so

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this approach was not supported by WSCC Highways. The scheme has therefore been submitted on the basis that without the removal of the right-hand turn, the impact on bus and general traffic journey times arising from the proposals would be significant and unacceptable and would not be justified.

- 5.13 The submitted traffic information includes traffic surveys and traffic modelling to illustrate these highway impacts. This includes modelling for the alternative routes that vehicles would have to take to complete their journey to the east of the Station, as a result of the removal of the right-hand turn facility.
- 5.14 West Sussex Highways have been consulted on the proposals and have confirmed that the scope of the modelling has previously been agreed with their transport policy team and is still considered acceptable. The modelling is based on traffic volume and flow survey information collected in 2018 (pre-Covid). In order to bring the modelling up to date further traffic volume and flow surveys were undertaken in November 2022 and have been thoroughly compared to those originally modelled and WSCC Highway Officers have confirmed their suitability.
- 5.15 The data reveals that Three Bridges Station was utilised for 2.195 million journeys and 0.560 interchanges in 2021/22 (down from 3.190 million journeys and 0.959 million interchanges in 2019/20). No daily numbers or modal splits have been provided. As regards the impact of the removal of the right hand turn out of the station, model runs have been carried out to assess both the impact of the diverted traffic utilising the surrounding road network to turn around and full rerouting via St Mary's Drive.
- 5.16 WSCC Highways have advised in terms of the traffic data that:

An Automated Traffic Count (Tuesday to Thursday) carried out in July 2018 observed show a 55% (148) westbound and 45% (123) eastbound movement in the PM peak period. A maximum total of 1002 right turns (between 7am and 9pm) and a peak hour of 216 between (18:00 and 19:00) were recorded. Utilising count data from the car park turning right into the station forecourt it would suggest 25-40% are drop offs performing U turns in the station forecourt and the remaining numbers are taxis or vehicles utilising the car parking area. It is expected that vehicles parking up are more likely to continue using the station car park and rerouting whereas vehicles dropping off and picking up passengers may change their destination.

- 5.17 In terms of trip generation or additional traffic, WSCC Highways advise that the proposals themselves would not generate any additional vehicular trips. However, the highway changes would result in the need for any vehicles that currently turn right out of the station access to either turn using the local road network or re-route their journeys depending on the end destination.
- 5.18 Junction modelling based on the proposed plans has been submitted in this regard and WSCC Highways comment that:

'Apart from right turners from the station the junction modelling identifies the largest average increase in journey time are for trips originating from Worth Road (from Pound Hill Parade). In the AM peak period increases of between 35seconds to 45seconds are predicted on all modelled routes and between Worth Park Avenue Road (Grattons Drive) and Haslett Avenue East (Stephenson Way) of 27 seconds (222s to 249s).'

- 5.19 Thus the largest impact, other than for vehicles wanting to turn right out of the Station, is for traffic travelling into the town centre in the AM peak period.
- 5.20 For vehicles currently turning right out of the station access, the modelling predicts the following journey time increases for these alternative routes:

Station to Worth Park Ave (at Grattons Drive Junction)

Via Tesco Roundabout: +143s (am) and +143s (pm) (111s to 254s and 110s to 253s)

Via Square about: +168s (am) and +166s (pm) (111s to 279s and 110s to 276s)

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Station to Worth Road (at Pound Hill Parade)

Via Tesco Roundabout: +193s (am) and +192s (pm) (111s to 304s and 119s to 311s)

Via Square about: +169s (am) and +166s (pm) (111s to 280s and 119s to 285s)

Station to Billington Drive (at rear of Property 88 Pearson Road)

Via Tesco Roundabout: +289s (am) and +184s (pm) (63s to 352s and 72s to 256s)

Via Square about: +170s (am) and +174s (pm) (63s to 233s and 72s to 245s)

- 5.21 WSCC Highways advise that these additional journey times to all vehicles would not be considered to be severe by the highway authority. In addition, they comment that

It should be noted that the Junction modelling provides a worst-case scenario as all trips reroute on the network. In reality a number of trips may be undertaken by sustainable modes and the following destinations made by alternative routes:

- *Vehicular trips to Copthorne - utilise modelled routes or Hazelwick Roundabout*
- *Vehicle Trips to Maidenbower – Drop offs likely to utilise new eastern access or utilise modelled routes*
- *Vehicle Trips to Pound Hill South and Worth - Drop offs likely to utilise new eastern access or utilise modelled routes*
- *Vehicle Trips to Pound Hill North – utilise modelled routes or Hazelwick Roundabout*

- 5.22 The Sustainability Team have commented about the loss of the right hand turn and advise that

'We understand residents' concern over the loss of the right turn exit from station car parks, but feel this is misplaced. Removal of the signal phase, provision of the eastern access and reduced interruption through design will improve traffic flow and minimise inconvenience, timings and stopstart behaviour. Additionally, improved cycle and walking facilities should see noticeable shift to active travel from car use, further reducing traffic issues. This would be a more significant shift if subsequent improvements beyond the scheme boundary for cycling and walking can be implemented.

A significant shift to walking, cycling and public transport is needed to alleviate air quality issues in the Three Bridges Area (this is an AQMA).'

- 5.23 In respect of cycling, a shared use path under the railway bridge is proposed. Currently cyclists are directed back onto the highway carriageway when travelling westbound. This path would now link with the existing provision along Station Hill and Haslett Avenue East. Across the site cycling and pedestrian priority is provided for in accordance with the appropriate standards, with the remodelled forecourt area being a shared surface, although delineation in the paving surfacing is proposed to indicate routes for cyclists.
- 5.24 WSCC Highways have identified that at the far western end of the forecourt, the proposed shared use area abruptly ends, which leaves a gap of cyclist provision between the scheme and the recommended route along Three Bridges Road. This has the potential to lead westbound cyclists to a point of conflict when crossing Haslett Avenue East/Hazelwick Avenue traffic signals. The widths of the central islands and footways (min 1.81metres on the north eastern side) at the junction are such that there is insufficient space to satisfactorily accommodate dismounted cyclists crossing at the signals.
- 5.25 The junction is included within the Local Cycling and Walking Investment Programme however as yet there is no funding committed to the scheme or delivery timescales. The applicant has provided a plan identifying a potential improvement to the north eastern footway of localised footway widening to provide a 3m deep waiting area at the crossing points, which would make the junction suitable for cyclists to dismount and push a bicycle across. However, this area is outside of the application site and is understood to include land owned by a third party. It is therefore not part of this application.
- 5.26 In these circumstances, WSCC recommend a condition is included to secure either suitable width footways (if the land were to come available), or alternatively if that solution cannot be achieved, other measures/design features to form a suitable end point to the shared use space on the Forecourt area to the east of Williams Way, given the current cyclist connectivity issues with the highway further to the west.

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- 5.27 WSCC also comment that the opening of the pedestrian and cycle access to Station Hill has the potential to increase the level of vehicles dropping off/waiting along the double yellow lines of Billington Drive, Station Hill and Maunsell Park. This would increase the need for active enforcement. Rising bollards controlled via CCTV operator (from within the depot) would restrict public vehicular access along the depot access.
- 5.28 The use of the lorry bay on the Station frontage would need to be controlled and this could be secured by a Traffic Regulation Order (TRO). This is a separate procedure, which would need to follow its own statutory consultation process and is a function of WSCC as highway authority. A provision within a s106 agreement would be required for the applicant to fund the process to cover the cost of advertising, making and implementing the TRO as appropriate.
- 5.29 WSCC Highways conclude that *'on balance the proposals to improve sustainable transport travel to Three Bridges Station would outweigh the disbenefits to vehicular traffic being unable to turn right out of the station access'*.

Parking

5.30 Main Car Park

The main station car park would be relatively unaffected with the northernmost section falling within the application site red line. This necessitates the layout of spaces in this part of the main car park to be revised in order to accommodate the changes to the front of the site for the bus hub, taxi rank and drop off zone. Overall, the quantum of spaces would be slightly increased for the main car park and would be re-provided as follows:

	Existing	Proposed	Difference
Pay & display	333	332	-1
Premier Parking	46	46	0
Electric Vehicles	10	12	+2
Disabled Parking	9	9	0
TOTAL	398	399	+1

5.31 Station Forecourt

The area to the front of the site to the west of the Station building currently is laid out for the taxi rank, with 8 official spaces and some limited waiting parking and motorcycle spaces, and this part of the site also incorporates some of the premier, disabled and electric vehicle car parking spaces as part of the main car park area. The area to the immediate front of the Station building currently allows for drop off parking for private cars for up to 4 vehicles and there is a 20 minutes limited waiting area to the west for 5 private cars.

- 5.32 The proposals would see this whole frontage area redesigned with the area to the immediate front of the Station building pedestrianised and the area to the west of the Station building reconfigured to provide the shared space, the bus hub, plus the taxi rank, drop off facility and motorcycle parking. The premier, disabled and electric vehicle car parking spaces would be re-provided within the main car park area and do not form part of this application. The number of spaces in the remodelled frontage area would be increased as follows:

	Existing	Proposed	Difference
Taxi Bays	8	17	+9
Limited waiting/drop off	9	10	+1
Motorcycles	24	34	+10

- 5.33 CBC Taxi Licensing Service supports the scheme and advises that

"...the proposals will assist in relation to access and egress at Three Bridges Station, since currently the entry and exit arrangements present delays as drivers are trying to pull onto the path of lanes of traffic. This is most challenging at peak periods.

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Currently at Three Bridges Station, the area is largely given over to the Hackney Carriage Trade, a small number of drop off points and a food outlet... The Hackney Carriage Trade currently "rank up" at the front of Three Bridges Station, with passengers accessing their service this way. The current rank can officially accommodate 8 vehicles at any one time, although historically, the numbers ranking here have been higher albeit outside of the designated rank space into double figures (approximately 20) creating a false perception in the hackney carriage trade that they are entitled to further rank space.

The proposal detailed in the planning application includes the provision of a hackney carriage rank within railway owned land, but makes provision for double the number of official rank spaces to 16. This is a significant improvement to the current arrangements and improves the availability of transport for service users and the availability of official rank space for hackney carriage vehicles. It is now common practice in many other railway stations that the hackney carriage trade purchase a permit and thereby use this rank space as opposed to having unfettered and free access as is the case currently.

It is important that there is a clear separation in any development between the private hire (pre book) and hackney carriage trade (rank or hail) and these need to be located in separate locations. Due to legal limitations, the Licensing Authority does not support the inclusion of a Private Hire Office in the same location as they operate in a distinct and different way from one another. However, space for both hackney carriages and private hire vehicles to set down/pick up is important.

I am aware that the Hackney Carriage Trade have expressed concerns about the proposed traffic management arrangements which mean a longer route to get to parts of the Borough, however they will be able to charge for the additional distance and journey time covered. The proposals appear to offer an improved facility in terms of rank space for the hackney carriage trade, albeit in a new location. In broad terms, I support the re-development proposals. "

5.34 The Crawley Hackney Carriage Association oppose the application on 3 grounds:

*"1) moving the Taxi Rank will have massive financial impact on the trade
2) The trade was promised a 23 cab rank
3) The no right turn out of the station will [be a] massive increase to the already financially impoverished public. By elongating their journeys by over a mile and increase their journey time by up to 15 minutes and increase massively the pollution you are trying to improve."*

5.35 The Association offers alternative proposals, namely,

*"1) leave the rank in its current position and increase the amount of taxis allowed to rank
2) if the rank has to move increase the number of taxis to 23 with grandfather rights for the current number of taxis licensed by the borough council. Part of the grandfather rights for the current drivers is they pay no fees to the railway for 10 years.
3) we need to be able to turn right out of the station either by means off a gap in the fence allowing taxi only right turn policed by camera's issuing fines or allowing a taxi only U turn at the Iceland traffic lights again policed by camera's this is not difficult all have to do is a 10 seconds delay in the traffic lights coming along Hazelwick Avenue turning left towards the bridge.
We in the taxi trade hope you will consider our alternative plans."*

5.36 The proposals for the taxi facilities would be a significant change from the current arrangements and the comments from the Crawley Hackney Carriage Association are acknowledged. However, the scheme would see an improvement in the number of official spaces, with a more orderly, attractive and safer layout for the drivers and passengers than at present. The proposals are endeavouring to address a number of issues on a site that is severely constrained and in multiple ownerships, with the overall aim of improving sustainable travel options. It is thus not possible to accommodate all stakeholders' requests in their entirety and which would be at the expense of other aspects of the scheme. It is considered that the proposals are a material improvement over the current situation and that the parking facilities, including the arrangements for taxis, are acceptable.

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5.37 Cycle Parking

The current cycle parking facilities are located to the rear of the Station building, adjacent to the side (west) entrance. There are a mixture of hoops, tiered shelters and Brompton cycle lockers with an overall capacity for 240 cycles. This provision would be supplemented with an additional 20 spaces on this western side of the site. On the eastern side, as part of the new entrance proposals, stands for 40 cycles would be provided.

5.38 This additional provision is welcomed but it should be noted that as part of the new Forge Wood Neighbourhood development 60 cycle spaces were required under condition 52 (iv) of the outline permission CR/2015/0552/NCC to promote sustainable travel and to mitigate the impact of that development. Therefore, it is considered that as well as meeting existing outstanding obligations for cycle parking arising from development elsewhere in the Borough, this application should ideally provide further cycle spaces to enhance and encourage sustainable forms of travel. However, at the time of writing this report no further locations were able to be identified, and the tight constraints of land ownership and railway operations are acknowledged, which limits the space available for further facilities.

5.39 The cycle parking facilities shown are covered but should be suitably secure and sheltered. In this regard the submitted details could be improved in terms of their design. The Sustainability Team also comment that provision should be made for adapted bikes and tricycles, plus a cycle repair station. It is therefore recommended that a condition be attached to the permission relating to the quantum, type and design of the cycle parking facilities so that these details can be satisfactorily resolved, and to explore if any additional spaces can be secured, over and above the 60 spaces that are already required in relation to Forge Wood.

5.40 Parking conclusion

Overall, the various forms of parking provision have maintained or increased the number of spaces. The arrangements for taxis and drop off/pick up are improved and are considered to be in a much better location and layout, that is coherent and legible and more readily accessible. These changes also allow for the reconfiguration of the main forecourt area to be pedestrian and cycle friendly and provide an attractive area of public realm.

Design

5.41 The main impact in design terms is the enhanced public realm and the proposed materials and landscaping features. The principle of redesigning this area is fully supported as its current appearance is tired and in need of uplifting. The Urban Design Officer comments that the proposal will improve *'the functionality, user experience, appearance and quality of the pedestrian open space to the north and west of the station building.'* In this regard there remain a number of areas which still need to be resolved and/or more design detail is required *but* can be resolved by conditions. The submitted information refers generally to paving, including tactile paving, raised planters, trees, soft landscaping, steps and ramps. The plans are only indicative in this respect and the details are quite limited. Whilst the concept of the redesign of the forecourt and principle of the use of these materials are accepted, it is considered essential that a full palette of materials are submitted as a condition discharge application, in order to fully assess their colour, texture, suitability and quality. Details of the raised planters and seating is also required.

5.42 In addition, the forecourt areas across the whole of the site frontage which is shared surface space for pedestrian and cyclists, while not providing segregated routes, do need to provide delineation/demarcation for these different users. This is particularly needed behind the bus hub and across the front of the Station Building. The plans have been updated in this regard and final details can be secured by a condition.

5.43 Furthermore, the Urban Design Officer and the Sustainability Team recommend that additional details are required to ensure that the pedestrian and cycle crossing points are raised level with the walkways/cycleways either side of the carriageways. This would reinforce the priority and continuity across the site frontage and the crossings over Williams Way. These details would enable a clear, direct, legible and almost seamless flow for users between the various transportation modes. These aspects can be covered by suitable conditions.

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- 5.44 The new eastern access for pedestrian and cyclists would incorporate a footway on the southern side of the existing drive leading to steps and a ramp up to the entrance facilities which comprise an entrance structure, ticket machine and cycle parking. The layout has been governed by the need to continue to facilitate access to and the operation of the depots at either end of this area. These arrangements were discussed with the rail and depot operators at pre-application stage. Vehicular access for car and lorries associated with the depots would be controlled by rising bollards towards the bottom of the access drive and these would prevent public vehicular access. Sliding gates for vehicles and staff would be positioned at the top of the drive and would prevent unauthorised access. Staff parking is to be reconfigured with an additional area along the retaining wall adjacent to Station Hill.
- 5.45 The width of the pedestrian access path and the ramp for the eastern access has been increased to a minimum of 2m to provide sufficient space for the movement of two people in opposite directions, or buggies and wheelchairs. The steps have also been increased in width to 2.5m to facilitate such movements and so that the cycle gutters can be functional.
- 5.46 With regard to soft landscaping, indicative details have been supplied and it is considered that there is scope to provide additional planting at the front of the site, particularly on the new forecourt area by the bus hub, which is to the front of the taxi rank and pick up/set down area, as currently it is just shown as an extensive area of paving. Native trees are preferred and so a condition is recommended for a full soft landscaping scheme to be submitted. Landscaping is also required on the eastern site access, particularly to compensate for the loss of the trees as a result of the revised staff car parking layout. This is covered in the 'trees' section below.
- 5.47 A further point is the lorry loading bay at the front of the pedestrianised forecourt area by the Station building. This is to serve the existing commercial units at the Station. It is unfortunate that this has been located here as it would dominate the front of the site and detract from the physical and aesthetic improvements to this part of the Station grounds. There could also be difficulties in enforcing the use of the bay and could lead to other vehicles using this, particularly for passenger drop off and pick up, undermining the concept of the overall improvements.
- 5.48 It is considered that an alternative location would be preferable, as there would appear to be scope to accommodate delivery/loading facilities to the rear/side of the station building. However, this aspect has been raised with the applicant and due to land ownership and contractual issues regarding the use of the forecourt area and the commercial occupiers of the station, it has not been possible to find a solution at this stage. Whilst this is disappointing, the situation and limitations are acknowledged, and officers conclude that on balance the overall benefits of the scheme as a whole outweigh this area of concern. The use of the bay would be a matter for the owners/operators of the Station to monitor and a Traffic Regulation Order would be required. An Informative could also be attached to the decision notice requesting that discussions on this aspect with the station operators is continued.
- 5.49 The bus hub structure is shown indicatively as it is still in the 'concept stage' and full details are still to be worked up. This can be covered by a condition, and if any illuminated advertising beyond bus times is proposed, this would be subject of a separate application for advertisement consent.
- 5.50 The new forecourt areas would also allow for the opportunity to introduce some public art into the locality. In this respect, as part of the Three Bridges Station Improvement Project, consideration will be given to incorporating a permanent memorial to Dame Caroline Haslett as part of the public realm improvements. The Planning, Design and Access Statement says:
- 'Dame Caroline Haslett (1896-1957) was born in Worth and lived in Three Bridges and was an electrical engineer. In 1924, she became the first director of the electrical association for women. She was also a suffragette, campaigner for equality and an inspiration to women. There is a long held desire to install a permanent, prominent memorialisation of her name and consideration will be given as to whether this could be part of the Three Bridges Station Improvement Scheme, subject to consultation with stakeholders and the local community.'*
- 5.51 Should these aspects proceed a separate planning application would be required.

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Trees and Ecology

- 5.52 The applicant has submitted an Arboricultural Report with the application. The proposal would involve the loss of trees to facilitate the revised depot staff car parking arrangements which are part of the eastern access proposals. The trees within the application site are one group of silver birch, hazel and aspen trees (24 trees in total - category B2) and a small part of another group of silver birch (category B2). Landscape plans indicate the replanting of some trees and shrubs in this area.
- 5.53 The categories to classify the condition and quality of trees are set out in BS5837:2012. A category B tree is a tree 'of moderate condition, with minor defects or sub-optimal form but are still of modest arboricultural, landscape or conservation value. It must have a potential life span in excess of twenty years.' Sub category B2 are 'trees have mainly landscape value, e.g. trees of landscape prominence, that serve to screen unsightly views or that are required for privacy. Also trees present in groups that attain higher collective rating than they would as individuals'.
- 5.54 The Arboricultural Officer has no objections and accepts that the trees need to be removed in order to facilitate the development. The proposed soft landscaping scheme of shrubs and trees for this part of the site is considered to be acceptable. The Arboricultural Officer advises that it is well considered, the species choice is interesting and will give a good mix, with seasonal interest with flowers, berries and bark colours. This is considered to mitigate for the loss of the trees, but it is anticipated that additional replacements will be needed to comply with the tree replanting standards required by policy CH6, which equates to 24 trees. This might be possible to be achieved across the wider site but as a fallback may involve an off-site contribution for the balance if there is a shortfall.
- 5.55 The plans also show indicative soft landscaping works on the main Station Forecourt area. It is considered that for this area the trees should be native species and the size and locations of the trees and shrubs can be assessed in more detail at the conditions discharge stage, in conjunction with the consideration of the hard landscaping details. Therefore details of the full hard and soft landscaping schemes would be required to be submitted by conditions with any associated financial contribution (for off-site tree planting) secured by a s106 legal agreement.
- 5.56 The application also includes a tree protection plan. Temporary fencing is proposed to protect the trees to be retained and this can be secured by condition.
- 5.57 The Ecology Advisor comments that the ecology mitigation measures should be secured by condition (a precautionary approach to tree removal and vegetation clearance in regard to breeding birds and reptiles, use of bird and bat boxes, compensatory planting). In addition, a wildlife friendly lighting strategy is needed and biodiversity enhancements can be secured by condition.

Impact on amenity

- 5.58 The application site already forms part of the public highway and Station grounds and is extensively hardsurfaced. Apart from the bus hub and the new entrance building, there is no physical bulk or mass to the proposed development and, given the location and scale of these aspects no harm such as overshadowing or overbearing impact would result. The proposals are intended to facilitate sustainable transport movements, rather than cater for significant increases in vehicle movements, so should not increase noise levels in the area. It is not considered that the proposals would have significant impact upon the amenity enjoyed by occupants of any surrounding buildings.

Flood Risk

- 5.59 The site falls within flood zones 1, 2 and 3. Following initial comments from the Environment Agency a revised Flood Risk Assessment Report and Technical Note has been submitted. The works would involve minor increases in levels across the site where the road carriageways are to be converted to the pedestrian areas and the cycleway. This would result in a loss of volume in the floodplain. It is proposed to provide compensation for the total volume of land raised on a total volume by volume basis, using sub-base storage. This would be in the form of underground storage crates which would create a void and gives additional capacity to replace that lost from the new surfacing works. These would be in two areas at the front of the site, in the new forecourt areas either side of Williams Way. During rainfall events water would enter this system via a combination of either porous paving or

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road/footway gullies. Discharge would be into the nearby Thames Water public surface water sewer. To prevent the storage being filled should a pluvial event overwhelm the sewer network causing surcharging into the flood compensation storage, a non-return valve upstream of the connection into the Thames Water system is proposed.

- 5.60 The Environment Agency have considered the latest material and have confirmed that they have no objection subject to a condition requiring full technical details of the surface water drainage design including detailed design drawings of the flood volume compensation measures and their management and maintenance over the lifetime of the development .

Contaminated Land

- 5.61 This site has been identified as potentially contaminated due to past land uses on site including Gas Works, Timber Yard, Unspecified Engineering Works, Railway Land and Tanks. The site also sits on a minor aquifer that is subject to high permeability that could lead to potential pollutants migrating off site. In these circumstances the Environmental Health Officer recommends a condition requiring the submission of a contaminated land report with appropriate remediation details, if such are required.

Air Quality

- 5.62 The site lies within the Air Quality Management Area as defined in the Local Plan. An Air Quality Assessment report has been submitted. The Air Quality Officer has advised that the report found that during the construction phase, the potential for dust emissions can be adequately managed by adopting appropriate mitigation measures. A dust management plan can be secured by a condition.

- 5.63 In regard to the operational phase, she advises that the report shows that,

'detailed pollutant modelling for nitrogen dioxide (NO₂) and particulates (PM_{10/2.5}) was undertaken to predict the impact on pollutant concentrations at locations within, and adjacent to, the AQMA as a result of the proposed station improvement scheme. The scheme proposes the removal of one westbound lane for the provision of a pedestrian/cycle access and the closure of the right-turn from the Three Bridges station forecourt. The rationale for this option is that a right turn out of the station forecourt would require an additional traffic light sequence which, detailed traffic modelling has identified, would increase congestion and idling with the subsequent impact on air quality. It is therefore accepted that the closure of the right turn is necessary to ease traffic flow.

The Transport Assessment (Ref 221124 Nov 2022) identifies that, as a consequence of the closure of the right turn, a proportion of journeys will reroute, rather than travel back eastbound past the station. Instead, they may travel eastbound by using St. Mary's Drive, or access Worth Park Avenue via Chaucer Road and Grattons Drive. Alternatively, some may fully reroute, depending on their end destination.

Sensitivity testing of rerouted traffic was not provided in the air quality report but would have been useful to demonstrate the range of air quality impacts. However, the assessment used a conservative approach to assess air quality, assuming worst case scenarios for emission factors and vehicle routes by assuming that all traffic will travel back eastbound on Haslett Avenue East. The assessment found small increases (0.01-0.4ug/m³) in NO₂, PM₁₀ and PM_{2.5} concentrations based on this scenario.

The increases were determined as negligible, in accordance with EPUK (Environmental Protection UK) and IAQM guidance, and therefore the proposed development was not considered to have a significant impact on local air quality.

- 5.64 In these circumstances the Air Quality Officer advises that *'in accordance with Sussex Air Quality and Emissions Mitigation Guidance, an emissions mitigation assessment should be carried out to identify the appropriate level of measures required to offset emissions. Following this, a package of mitigation measures, to the value of the calculated emissions costs, must be submitted and agreed with the LPA.'*

- 5.65 At the time of writing this report, this second report/assessment is being prepared, and it is anticipated that it will be submitted shortly. This will enable an update to be given at the Committee meeting with

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confirmation of the value of mitigation measures, so that this amount can be included as a contribution to be secured by the s106 legal agreement and the appropriate measures identified.

Infrastructure contributions

- 5.66 Local Plan Policy CH6 requires replacement trees for trees that would be removed as part of the development. Given the site layout limitations for extensive new tree planting, whilst new trees are to be part of the landscaping scheme, it is likely that a payment for off-site planting will also be required. The number of trees required is based on the size of those to be removed, as set out in the Green Infrastructure SPD and the costs of replacement trees are £700 per tree. The precise details, including the number of specimens will be part of the landscaping scheme as required by a condition. Thus, a formula for calculating the appropriate payment will need to be included on a s106 legal agreement as the basis for the commuted sum.
- 5.67 Policy IN1 requires infrastructure contributions/provision to meet and address the justifiable needs created by new development and to mitigate any significant effects arising from the development. In this case a s106 agreement would be required in order to secure the costs associated with the Traffic Regulation Order for the lorry loading bay. In regards to air quality a contribution in relation to the emissions mitigation measures will also be required.

Water Neutrality

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

CONCLUSIONS:-

- 6.1 The proposal would deliver public realm and sustainable transport improvements by enhancing provision for bus, cycle and pedestrian movements within an enhanced public realm at Three Bridges Station. The sustainable transport improvements will encourage travel by these means and help to address climate change. There would be no significant impact on amenity and the proposals are water neutral. It is recommended that planning permission is granted, subject to conditions and the conclusion of a S106 Agreement:

RECOMMENDATION RE: CR/2022/0783/FUL

PERMIT – subject to the following conditions and the conclusion of a S106 Agreement:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No development shall take place, including any ground works, 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,

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

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

REASON FOR PRE- COMMENCEMENT CONDITION: The potential impacts upon highways and amenity from activity will arise from the occupation of the site by contractors and the plan therefore needs to be agreed and in place before commencement.

4. No development or site works of any description, including setting up works or storage of materials, plant or equipment, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected fences in accordance with the details set out in the Arboricultural Report and the Tree Protection Plan. The protective fencing shall remain in position for the duration of the works. Within the areas so fenced off, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policies CH3 and CH6 of the Crawley Borough Local Plan 2015 - 2030.

REASON FOR PRE-COMMENCEMENT CONDITION: Potential damage to trees could occur from site activity before development commences and therefore the agreed measures need to be in place before commencement of development.

5. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Phlorum Ltd, November 2022).

REASON: To conserve 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).

6. No development shall take place, until a Biodiversity Enhancement Strategy for protected and Priority species has been submitted to and 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 LPA to discharge its duties under the NPPF 2021 and s40 of the NERC Act 2006 (Priority habitats & species).

REASON FOR PRE-COMMENCEMENT CONDITION: The mitigation and enhancement need to be agreed before commencement of development to avoid any adverse impacts on protected and priority species.

7. No development shall take place until a lighting design scheme for biodiversity has been submitted to and approved in writing by the Local Planning Authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

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All external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority
REASON: To conserve 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).

REASON FOR PRE-COMMENCEMENT CONDITION: The lighting design scheme needs to be agreed before commencement of development to avoid any adverse impacts on protected and priority species.

8. 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 desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,

(b) 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 in accordance with BS10175:2011; and, unless otherwise agreed in writing by the Local Planning Authority,

(c) 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.

The development hereby permitted shall not be brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i) (c) above that any remediation scheme required and approved under the provisions of (i) (c) 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:

- i) As built drawings of the implemented scheme;
- ii) Photographs of the remediation works in progress; and
- iii) 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 (c).

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 FOR PRE-COMMENCEMENT CONDITION: This condition is required to be pre-commencement to safeguard the health of construction workers and prevent any contamination on the site impacting into the surrounding area. The risks for neighbours, site workers and future residents must be appropriately mitigated.

9. No development shall take place until there has been submitted to, and approved by, the Local Planning Authority a soft landscaping scheme, including the planting of replacement trees, grassed areas and the species, number and spacing of trees and shrubs to be planted. All planting, seeding or turfing comprised in the approved details of soft landscaping shall be carried out in the first planting and seeding season, following the completion of the development, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

REASON FOR PRE-COMMENCEMENT CONDITION: The soft landscaping proposals will form an integral part of the development and therefore need to be addressed at an early stage.

10. No development shall be carried out unless and until a scheme of hard landscaping including 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 the development have been submitted to and approved by the Local Planning Authority. The hard landscaping scheme shall include details and design of the paving and other surfacing materials, steps, ramps, raised pedestrian and cycle crossing points, bollards, brick planters, benches, seats, gateline entrance structure, retaining walls, fences, railings and gates. The development shall be implemented in strict accordance with the approved details and shall be carried out before the completion of the development.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

REASON FOR PRE-COMMENCEMENT CONDITION: The hard landscaping proposals will form an integral part of the development and therefore need to be addressed at an early stage.

11. Notwithstanding the submitted details, before any works to construct the bus hub are undertaken, details of the design, appearance and materials of the bus hub facility shall have been submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a development of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

12. No development shall be carried out unless and until details of
- a) the provision of localised footway widening to provide a 3m wide waiting area at the crossing points at Haslett Avenue East / Hazelwick Avenue traffic signals;
 - or alternatively
 - b) the provision of additional details to form a suitable end of route at the eastern side of Williams Way have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details prior to the improvements hereby permitted being brought into use.

REASON: In the interests of highway safety and to encourage and promote sustainable transport in accordance with policies SD1 and CH3 of the Crawley Borough Local Plan 2015 - 2030.

REASON FOR PRE-COMMENCEMENT CONDITION: The details to ensure satisfactory provision for cyclists are an integral part of the development and therefore need to be addressed at an early stage.

13. Notwithstanding the submitted details and prior to the commencement of the development, details of secure and covered cycle parking and associated facilities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities shall be constructed in accordance with the approved details and be operational prior to the improvement hereby permitted being brought into use and thereafter be retained.

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

REASON FOR PRE-COMMENCEMENT CONDITION: The cycle facilities are an integral part of the development and therefore need to be addressed at an early stage.

14. Prior to commencement of the development on the western side of the railway (in the floodplain) further details of the detailed design of the sub-base storage area shall be submitted to and agreed in writing with the Local Planning Authority. These details shall include:

- Detailed design drawings of the floodplain compensation area which will demonstrate how the storage area will function.
- A maintenance plan to ensure that the sub-base storage area is managed and maintained for the lifetime of the development.

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These details shall be worked up in accordance with the proposals provided as part of the application included within the submitted Flood Risk Assessment (ref:1000004386, dated January 2023) and technical note (ref:1000004386, dated 23/02/2023) and the following mitigation measures:

- Compensatory storage shall be provided through the use of sub-base storage areas.
- 135m³ of sub-base storage will be provided to compensate for the loss of floodplain storage up to the 1 in 100 year plus climate change flood level.
- A non-return valve shall be fitted between the flood compensation storage area and the Thames Water Sewer Network to prevent the sewer network from surcharging into the compensation area.

The approved design details and mitigation measures shall be fully implemented prior to the improvements hereby permitted being brought into use and subsequently in accordance with the scheme's timing/ phasing arrangements. The approved measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

REASON: To reduce the risk of flooding to the proposed development and future occupants, and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with policy ENV8 of the Crawley Borough Local Plan.

REASON FOR PRE-COMMENCEMENT CONDITION: The drainage measures including maintenance details will form an integral part of the development and therefore need to be addressed at an early stage.

INFORMATIVES

1. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
2. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

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

3. The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed provision of the loading bay. The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.
4. The applicant is advised that the above condition 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.

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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 (b) and (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>

5. The applicant's attention is drawn to the consultation response from Network Rail dated 4th January 2023 and the need to enter into an Asset Protection Agreement and comply with the Asset Protection Informatives. See <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>

1. NPPF Statement

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

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

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



ArcGIS Web Map



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

1:1,250



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Crawley Borough Council

Report to Planning Committee

7 March 2023

Objections to the Crawley Borough Council Tree Preservation Order – St Joan Close No. 1 - 04/2022

Report of the Head of Economy and Planning – *PES/429*

1. Purpose

- 1.1 This report presents the St Joan Close No. 1 - 04/2022 Tree Preservation Order. The Committee is requested to consider the objections received and determine whether to confirm the Tree Preservation Order with or without modification for continued protection, or not to confirm the Tree Preservation Order.

2. Recommendation

- 2.1 It is recommended that the Committee **CONFIRMS** the Tree Preservation Order St Joan Close No. 1 - 04/2022 without modification.

3. Reasons for the Recommendation

- 3.1 The trees have good shape and form.
The trees have been identified as having significant long term potential.
The trees are prominent in the locality and have significant amenity value.
The trees are clearly visible from the public highway.
The trees are visually important in the local area.

4. Background

- 4.1 The trees the subject of this Order are two oak trees, one is located at the bottom of the rear garden of 30 St Joan Close and the other located adjacent within the rear garden of 31 St Joan Close. The rear gardens in which these trees are situated back onto the side/rear boundary of 28 Ivanhoe Close, rear boundary of 26 Ivanhoe Close and a small garage court/car park which appears to be privately owned. The tree within the garden at 30 St Joan Close is privately owned while 31 St Joan Close is a Council property and the tree is therefore owned by CBC.
- 4.2 The Tree Preservation Order was made following receipt of a TPO status enquiry submitted by the owner of 28 Ivanhoe Close stating that they and the tree owners intend to fell the tree within 30 St Joan Close. When the trees were found not to be protected, a desktop assessment was made followed by a site visit, which determined that the trees made a strong visual contribution to the surrounding area with good amenity. Access to the garden and the base of the stems was gained following the service of the TPO and the trees were then able to be assessed in detail. On assessment the trees appeared to be in good general health and condition at the time of inspection with no signs of major structural defects. The trees form an important screen between the residential properties in Ivanhoe Close and St Joan Close. The Local Planning Authority (LPA) therefore decided that it was expedient in the interests of amenity to protect the trees by the making of a Tree Preservation Order in order to ensure their continued contribution to green amenity of the area. The trees provide part of

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a strong landscape feature that runs north to south along the rear boundaries of properties in St Joan Close and Ivanhoe Close and also links into a wider network of mature trees running east to west between St Joan close and Vivienne Close.

- 4.3 The provisional Tree Preservation Order was made on 6th October 2022 and remains provisionally in force for a period of six months until 6th April 2023. If the Order is confirmed, the protection becomes permanent; if the Order is not confirmed, it ceases to have effect.
- 4.4 It is considered that these trees make an important contribution to the green amenity of the area and their loss would have a detrimental impact on amenity. The serving of a the TPO on these trees seeks to prevent this.

5. Notification/ Consultation/Representation

- 5.1 A Council must, as soon as practicable after making a TPO and before it is confirmed, serve a copy of the order and a prescribed notice on persons interested in the land affected by the TPO. The Council therefore served a copy of the provisional TPO and notice on all the owners/occupiers of the land and other interested parties as set out below.

Owners and occupiers of the land:

- The Owner/Occupier, 30 St Joan Close, Crawley, RH11 7SW
- Justin Roberts, Crawley Borough Council (Amenity Services), Town Hall, The Boulevard, Crawley, RH10 1UZ
- The Owner/Occupier, 26 Ivanhoe Close, Langley Green, Crawley, RH11 7UF
- The Owner/Occupier, 28 Ivanhoe Close, Langley Green, Crawley, RH11 7UF
- The Owner/Occupier, 31 St Joan Close, Langley Green, Crawley, RH11 7SW

Owners and occupiers of adjoining land affected by the TPO:

- 7 Wolverton Gardens, Horley, RH6 7LZ
- 46 Upfield, Horley, RH6 7LF
- Hyde Housing Association Ltd, 30 Park Street, London, SE1 9EQ

- 5.2 The Council is required to consider any objections or representations made within 28 days of the date of the Order. The notification period for objections ended on 10th November 2022. Confirmation of the Order is required within six months of the date upon which it was provisionally made.
- 5.3 Three representations have been received from the owner of 28 Ivanhoe Close, the tenant of 28 Ivanhoe Close and the owner of 30 St Joan Close respectively objecting to the TPO. The full objection letters are provided at Appendix A. The objections are summarised below.

Accuracy

- The map is inaccurate as it shows the tree incorrectly plotted in the wrong garden.

Amenity

- The tree does not have 'good shape and form'. It is, as Council Officers would have seen if they had been out to see it, enormous and overgrown with a huge canopy that blights a very large area where it drops debris and cuts light.
- The application claims that the tree is 'prominent in the locality'. Prominent (as defined by the Oxford English Dictionary: jutting out, projecting, conspicuous, distinguished) is not something that applies to it. It is only conspicuous because its over-sized canopy covers part of the car park, the gardens of several houses in St Joan Close and the garden of 28 Ivanhoe Close.
- The tree is definitely not 'visible from the public highway'. The only nearby highway is Ivanhoe Close – from there it is around the bend in an access road and at the end of a car park.

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- It does not have 'significant amenity value'; it has no amenity value at all and is just a big, ugly, overgrown tree with diseased branches that keeps out light.
- In no way is the tree 'visually important' in the area. It is however very visually intrusive to me and my neighbours, in that its canopy covers a large area of this fairly densely developed area. Rather than being 'important' it is considered a nuisance.
- It is a blight on the surroundings and an eyesore.

Health and Long-Term Retention Value

- The tree does not have significant long-term potential. It is overgrown and diseased, with dead branches and other unhealthy ones where leaves are discoloured during the height of the growing season.

Seasonal Nuisance

- [The tree] drops deadwood and other material including leaves on the car park and vehicles. Sticky stuff and other bits including acorns spoil my lawn.

Safety

- It is unstable, parts of it are dead and diseased and it's a danger to the area.
- Because of its poor condition, the tree is a danger. My tenant is very concerned because deadwood from it had been falling into his garden, where his young grandchildren like to play. One large piece actually fell near one of the children.

Other

- It is extremely difficult to communicate with the people who deal with these protection orders. I had been trying since March of this year to find out whether the tree has been subject to a TPO. I do not want to go through this again in order to seek permission to make my tree safe and in a state where it no longer constitutes a nuisance.

- 5.4 One representation was received from the owner of 26 Ivanhoe Close (also attached at Appendix A) in support of the Tree Preservation Order with the following reason given:

"I totally agree that the tree[s] should stay and are important to the environment and am happy [for the trees] to have a preservation order".

The representation did however raise some concerns regarding the safety and management of the larger tree and asked if the tree could be trimmed.

6. Amenity Value/Assessment

- 6.1 TPO groups are demarcated on the associated map by a broken black line delineating the extent or edge of the combined canopies of the trees in order to indicate the total area covered by the group as a whole. It is considered that the group has been plotted with a level of accuracy sufficient to identify the group and its position. The Town and Country Planning (Tree Preservation) (England) Regulations 2012 Section 3 (1) (c) requires that "[an order] Shall indicate the position of the tree, groups of trees or woodlands, as the case may be, by reference to a map". It is considered that the map adequately identifies the group and its position.
- 6.2 The trees were visited by the tree officer prior to the TPO being served and were found, particularly the larger one, to be attractive trees with good form, typical of the species.
- 6.3 The trees are approximately 16-18m tall and are therefore clearly visible over the rooftops when viewed from all parts of Ivanhoe Close, Vivienne Close and St Joan Close and can also be glimpsed from Dobson Road and are clearly visible from the public highway. The trees are therefore considered

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to have very good visual amenity from several public areas as well as being visible from many private residential properties and are therefore considered of significant amenity value.

- 6.4 The considerable contribution to the visual amenity and character of the area made by these trees comes by virtue of their size which allow them to be visible from several streets away as mentioned above. This is considered a positive and is the main reason the group was protected and is the primary criteria for protecting trees.
- 6.5 Deadwood can be removed from protected trees without the need to apply for planning permission while any unhealthy or dysfunctional branches can be removed subject to planning permission. The presence of deadwood etc does not necessarily indicate that the tree is unhealthy or diseased. Discoloured leaves were not observed during the site visit as this was undertaken during the dormant period, however, should next year's leaves start to show signs of ill health, this can be assessed by a suitably qualified tree surgeon and an application for any remedial works can be submitted.
- 6.6 Leaves, acorns, twigs and honey dew are considered a seasonal nuisance and is a part of the normal life cycle of a tree. Leaves and acorns do not damage or spoil lawns and can be easily raked up. Similarly honey dew does not damage cars and can be simply cleaned off with soap and water. None of these are considered reasons not to protect trees that make such an important contribution to the green amenity.
- 6.7 A level of works/surgery for the trees can be agreed by way of an application to the LPA. The health of the tree along with safety and amenity for the nearby residents are important considerations that are taken into account when agreeing an appropriate level of surgery to a protected tree within its setting. All trees are inspected and the relative merits of the request for works are always considered on a case-by-case basis.

7. Implications

Human Rights Act 1998

- 7.1 The referral of this matter to the Planning Committee is in accordance with Article 6 of the Human Rights Act 1998, the right to a fair hearing, which is an absolute right. Those persons who made representations in objection to the TPO are entitled to attend the Planning Committee meeting and to make any further verbal representations at the meeting. The Planning Committee must give full consideration to any such representations.

Article 8 and Article 1 of the First Protocol

- 7.2 The right to respect for private/family life and the protection of property also needs to be considered. These are qualified rights and can only be interfered with in accordance with the law and if necessary to control the use of property in accordance with the law and if necessary to control the use of property in accordance with the general interest. The recommended continued protection of these trees by confirming the TPO is considered to be in the general interest of the community and is considered to be both proportionate and justified.

Planning legislation

- 7.3 The law relevant to the protection of trees is set out in Part VIII of the Town and Country Planning Act 1990 as amended and the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

8. Background Papers

- 8.1 The Crawley Borough Council Tree Preservation Order St Joan Close No. 1 - 04/2022

Contact Officer: Russell Spurrell
Direct Line: 01293 438033
Email: russell.spurrell@crawley.gov.uk

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SCHEDULE

SPECIFICATION OF TREES

Trees Specified Individually (encircled in black on the map)

Reference on Map	Description	Situation
NONE		

Groups of Trees (within a broken black line on the map)

Reference on Map	Description	Situation
G1	English oak (2)	Grid Ref: TQ-26877-38259

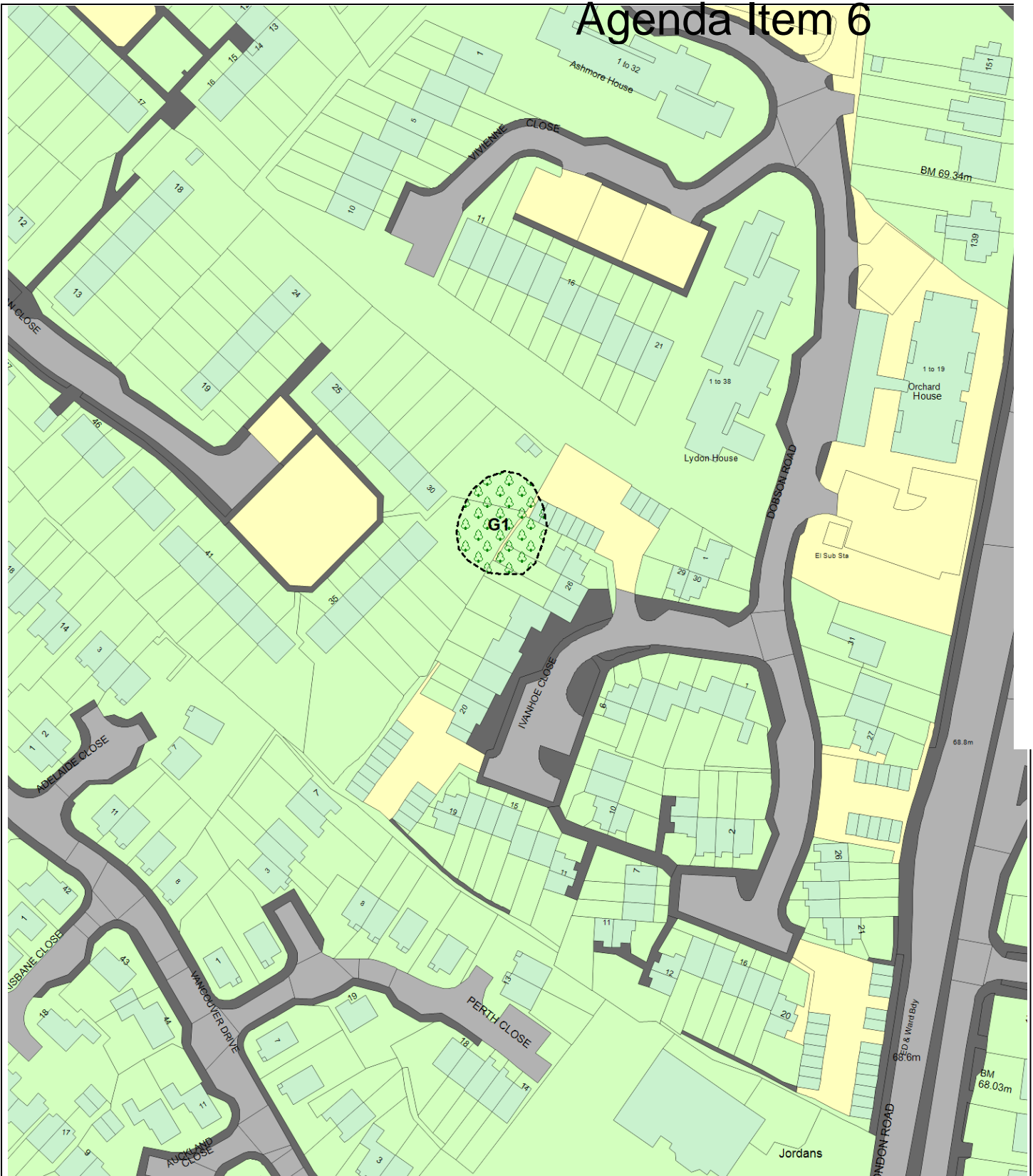
Woodlands (within a continuous black line on the map)

Reference on Map	Description	Situation
NONE		

Reference to an Area (within a dotted black line on the map)

Reference on Map	Description	Situation
NONE		

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Tree Preservation Order No 04/2022
St Joan Close No. 1

Clem Smith
Head of Economy and Planning Services

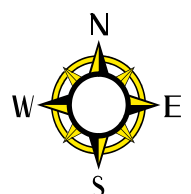


The scale shown is approximate and should not be used for accurate measurement.

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Scale 1:1250

Date 14/02/2023



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Sent: 12 October 2022 09:38

To: Trees, Protected <ProtectedTrees@crawley.gov.uk>

Subject: English oak (St Joan close)

Dear Mr Spurrell,

I recently received a letter regarding a provisional tree preservation order on an English Oak (St Joan Close No.1. Grid ref: TQ-26877-38259).

I am writing to you about some questions and concerns I have against this.

This oak tree backs onto our gardens (26/ 28 Ivanhoe close) and is particularly over grown and some of the branches are nearly touching house windows. I have concerns that if we gain heavy winds or have a storm, the branches may break which could cause major damage to our properties.

I believe this tree is privately owned and not a council tree as we have spoken to the owner who has had quotes on getting it cut back but due to financial reasons is unable to attend to the tree.

The tree however next to that one is a council tree and at the beginning of the year was Pollard'd as it was in the same shape and size.

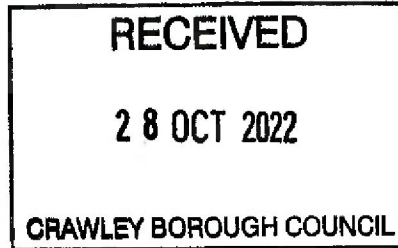
I totally agree that the tree should stay and are important to the environment and am happy to have a preservation. However, I would like to ask if this tree could be trimmed/ cut to a more stable state. As it looks like it hasn't had any work done to it for at least 10 years. I also understand that these trees should be trimmed to stop the roots progressing under the houses? If this was done then I would be happy to accept the preservation order.

I would also like to ask who is liable for this tree if anything should happen? For instance if not attended to and it causes any damage?

I look forward to your reply,

Kind regards

(26 Ivanhoe close)



46 Upfield
Horley
Surrey
RH6 7LF

26 October 2022

Economy & Planning Services
TPOs
Crawley Borough Council
Town Hall
The Boulevard
Crawley
RH10 1UZ

Recorded delivery

Re: Provisional Tree Preservation order
Crawley Borough Order St Joan Close No 1

Dear Sirs

I write as joint owner and as landlord, of 28 Ivanhoe Close, Langley Green, having received your notice of the provisional tree preservation order.

I object to the proposed order on two grounds:

- 1) That the provisional order contains errors and has not been drawn up properly;
- 2) That the oak tree has none of the virtues specified in the notice sent to us.

The notice comes with a map purporting to show the position of the tree. This is incorrect because the map puts the tree in the wrong garden. Also, the canopy of the tree is larger than indicated and covers a different area.

Council officers have obviously not visited the site before seeking this order because they claim the tree has "good shape and form". In fact the tree has an enormous and untidy canopy covering a huge area and can in no way be said to have "good shape and form".

The tree unfortunately does not have "significant long term potential". Any inspection would reveal that it is overgrown and diseased, with many dead branches and others where leaves are discoloured during the height of the growing season.

It is not true to say that the tree is "clearly visible from the public highway". The only highway near it is Ivanhoe Close, and it is not "clearly visible" from there because it is way back from the road, behind a fairly long car park.

The application claims that the tree is "prominent in the locality". Prominent (as defined in the Concise Oxford Dictionary: jutting out, projecting; conspicuous, distinguished) is not something that applies to it. It is only conspicuous because its oversized canopy covers part of the car park, the gardens of several houses in St Joan Close and the garden of 28, Ivanhoe Close – where it cuts out light, drops debris and is a considerable nuisance.

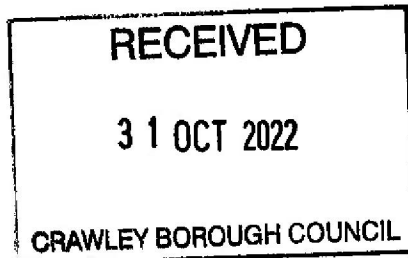
It does not have “significant amenity value”; amenity (Oxford Dictionary) is “pleasantness (of place, person etc)”. This is a big, ugly tree with diseased branches that keeps light from a large area, drops dead wood and other material which spoils my tenant's garden – and in the autumn drops huge volumes of dead leaves which have to be gathered up. It also drops dead wood and other material including dead leaves on the car park and vehicles parked there. Amenity and pleasantness are absent.

In no way is the tree “visually important” in the local area, as the council's application claims. Rather, it is a blight on its surroundings, keeps out light and is more of an eyesore than something visually appealing.

I would add that because of its poor condition, the tree is a danger. My tenant, Mr Heath, is very concerned because dead wood from it had been falling into his garden, where his young grandchildren like to play. He says that ~~one~~ large piece of the tree actually fell near one of the children.

I do realise the importance of preserving valuable trees, and in the past managed to obtain a TPO for a walnut tree I had planted myself. I also understand that it is important to preserve the nation's oak trees. However the huge, dangerous and diseased tree that it subject to this wrongly drawn up provisional order is out of place in an urban area of small gardens, is a danger and nuisance - and should not be made the subject of a TPO.

Yours faithfully



28 Ivanhoe Close
Langley Green
Crawley
RH11 7UF

27 October 2022

Economy & Planning Services
TPOs
Crawley Borough Council
Town Hall
The Boulevard
Crawley
RH10 1UZ

Re: Provisional Tree Preservation order
Crawley Borough Order St Joan Close No 1

Dear Sirs

I am the tenant of 28 Ivanhoe Close, Langley Green, and wish to register my objection to the above proposal.

The provisional order contains errors and has not been drawn up properly; also the tree has none of the virtues claimed as reasons for the order.

The notice comes with a map supposedly showing the position of the tree. This is incorrect because the map puts the tree in the wrong garden. Also, the canopy of the tree is larger than indicated and covers a different area.

Council officers can't have visited the site before seeking this order because they claim the tree has "good shape and form". In fact the tree has an enormous and untidy canopy covering a huge area and can in no way be said to have "good shape and form".

Also, the tree does not have the claimed "significant long term potential". Any inspection would have shown that it is overgrown and diseased, with dead branches and other unhealthy ones where leaves are discoloured during the height of the growing season.

It is not true to say, as the council's notice claimed, that the tree is "clearly visible from the public highway". The only nearby highway is Ivanhoe Close, and it is not "clearly visible" from there because it is a long way back, round a bend and behind a long car park.

The application claims that the tree is "prominent in the locality" but it is only conspicuous because its oversized canopy covers part of the car park, the gardens of several houses in St Joan Close and the garden of 28, Ivanhoe Close - all places where where it cuts out light, drops debris and is a considerable nuisance.

It does not have "significant amenity value"; it has no amenity value at all and is just a big, ugly overgrown tree with diseased branches that keep out light, drop dead wood and other sticky material that spoils my garden - and in the autumn the tree drops huge volumes of dead leaves which have to be gathered up.

It also drops dead wood and other material including leaves on the car park and vehicles, including my own, that are parked there.

In no way is the tree "visually important" in the local area, as the council's application claims. Rather, it is a blight on its surroundings and is an eyesore.

Because of its poor condition, the tree is a danger. My young grandchildren like to play in my garden and a large chunk of wood falling from this tree fell close to one of them. Also, sticky stuff falling from the tree and other bits including acorns spoil my lawn.

Council officials have apparently failed to give any information about this tree since inquiries started in April to see whether it was subject to a TPO - despite many requests and many broken promises to produce a reply. They should at least have visited the site before seeking this ill-conceived and wrongly drawn-up application for a TPO, which should be rejected.

Yours faithfully

30 St Joan Close
Langley Green
Crawley
RH11 7SW

5 November 2022

Economy & Planning Services
TPOs
Crawley Borough Council
Town Hall
The Boulevard
Crawley
RH10 1UZ

Re: Provisional Tree Preservation order
Crawley Borough Order St Joan Close No 1

Dear Sirs

I am writing to object to the proposal to make the above provisional order permanent. I believe the order relates to a large and diseased oak tree at the bottom of my garden.

However I cannot believe that the order can be made in its present form because the order includes a map showing the location of the supposedly protected tree. The map has placed the tree in a neighbour's garden - ~~where there is no tree~~.

I also object to the order because it meets none of the reasons given for making it.

- 1) The tree does not have "good shape and form" as the letter claims. It is, as council officers would have seen if they had been to see it, enormous and overgrown with a huge canopy that blights a large area where it drops debris and cuts out light.
- 2) It does not have "significant long term potential". It is unstable, parts of it are dead and diseased and it is a danger to the area.
- 3) The tree is not "prominent" and has no amenity value. If council officials believe it has "amenity value" and is a distinguished feature I would be interested to hear of their reasoning behind this.

4) The tree is definitely not visible from the public highway. Whoever made this claim clearly has no knowledge of the area; the only nearby highway is Ivanhoe Close - and from there it is around the bend in an access road and at the end of a car park. To say it is "clearly visible from the public highway" is nonsense.

5) In no way is the tree "visually important" in the area. It is however very visually intrusive to me and my neighbours, in that its canopy covers a large area of this fairly densely developed area where it cuts out light and drops large amounts of dead wood, leaves and other debris. Rather than being "important", it is a considerable nuisance.

I would particularly ask council members not to approve of this order on the basis that as owner of the tree I can apply for permission to trim and lop it.

This is because it is exceedingly difficult to communicate with the people who deal with these protection orders. Together with neighbours I had been trying since March of this year to find out whether the tree has been subject to a TPO. Despite several requests and promises that the matter would be dealt with, including help from a local council member, we could get no information from officials over a period of about 10 months. I would not want to go through this stonewalling again in order to seek permission to make my tree safe and in a state that would no longer constitute a nuisance.

The tree is an enormous, overgrown and diseased thing which is a considerable worry to me, particularly since an incident when a neighbour's grandchild was nearly hit by a large piece of dead branch which fell into his garden. It does not warrant a TPO being placed on it, as council staff would have seen had they only visited the site and perhaps even consulted me as its owner.

Please do not make this ill-conceived order permanent.

Yours faithfully

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Agenda Item 7

Crawley Borough Council

Report to Planning Committee

7 March 2023

Section 106 Monies – Q3 2022/23

Report of the Head of Economy and Planning – **PES/428**

1. Purpose

- 1.1. Section 106 of the Town and Country Planning Act 1990 provides that planning permissions may be granted subject to planning obligations, agreed for individual site permissions between the developer and the local planning authority, which are set out in a separate legal agreement, often referred to as a 'Section 106 agreement'. Financial contributions arising from such agreements are paid by site developers to the local planning authority and must be spent as set out in the relevant Section 106 (S106) agreement and in accordance with legislation (see Appendix A).
- 1.2. This report summarises all the S106 monies received/spent and committed to project schemes in quarter 3 of 2022/23.

2. Recommendations

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

3. Reason for Recommendations

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

4. S106 Monies Received in Q3 2022/23

- 4.1. In Q3 2022/23 a total of £0.00 of monies were paid to the Council by developers in accordance with their obligations under the S106 agreements with the local planning authority.

5. S106 Monies Spent in Q3 2022/23

5.1. In Q3 2022/23, a total of £213,210.49 of S106 monies were spent by the Council on the following infrastructure projects.

S106 Spend Category	Project Name	Lead Org	Project Cost	Status
Transport	CGP Station Gateway	CBC	-£ 109.51	Ongoing
Town Centre	CGP Station Gateway	CBC	-£ 741.94	Ongoing
Town Centre	Mosaic Memorial Garden - Public Art	CBC	-£ 71.63	Ongoing
Open Space	Southgate Playing Fields	CBC	-£ 2,740.01	Ongoing
Transport	Town Centre Cycle Improvements	CBC	-£ 49,247.40	Ongoing
Tree Contribution	Tree Mitigation 202122	CBC	-£ 35,700.00	Ongoing
Tree Contribution	Tree Mitigation 202223	CBC	-£ 68,600.00	Ongoing
Tree Contribution	Tree Mitigation Tilgate	CBC	-£ 56,000.00	Ongoing

-£213,210.49

6. S106 Monies Committed in Q3 2022/23

6.1. A further £66,958.00 of S106 monies were committed to infrastructure projects in Q3 2022/23, through the Council's agreed approval process. The following table provides a breakdown of the individual projects to which the S106 funds were committed.

S106 Spend Category	Lead Org	Project Name	Project Cost	Due to Complete	Status
Open Space	CBC	Brideake Close	£ 1,812.00	2023/24	Ongoing
Open Space	CBC	Curteys Walk	£ 1,610.00	2023/24	Ongoing
Open Space	CBC	Meadowlands	£ 6,565.00	2023/24	Ongoing
Open Space	CBC	Perkstead Court	£ 2,115.00	2023/24	Ongoing
Open Space	CBC	Puffin Close, Ifield	£ 1,818.00	2023/24	Ongoing
Open Space	CBC	Bowness Close	£ 19,818.00	2023/24	Ongoing
Open Space	CBC	Halley Close	£ 16,610.00	2023/24	Ongoing
Open Space	CBC	Plantain Crescent	£ 16,610.00	2023/24	On Going

£ 66,958.00

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

S106 Spend Category	Lead Org	Project Name	Project Cost	Due to Complete
Public Realm (MR)	CGP	CGP MR Superhubs	£ 146,945.21	2023/24
Open Space	CBC	Unsupervised Play	£ 6,336.85	2024/25
Open Space	CBC	Puffin Close, Ifield	£ 18,000.00	2023/24
Town Centre	CGP	CGP Station Gateway	£ 12,819.17	2025/26
Town Centre	CBC	Mosaic Memorial Gardens	£ 11,483.69	2022/23
Transport	CBC	Bus Shelters	£ 104,675.73	2024/25
Transport	CGP	CGP MR Superhubs	£ 116,617.87	2023/24
Transport	CGP	CGP MR W&C	£ 174,117.25	2024/25
Transport	CGP	CGP TC Superhubs	£ 64,793.34	2024/25
Transport	CGP	CGP TC W&C	£ 361.56	2024/25
Transport	CGP	CGP Three Bridges Railway Station	£ 11,847.78	2025/26
Open Space	CBC	Southgate Playing Fields	£ 45,020.86	2022/23
Open Space	CBC	Perkstead Court	£ 20,000.00	2023/24
Open Space	CBC	Curteys Walk	£ 15000.00	2023/24
Open Space	CBC	Meadowlands	£ 65,000.00	2023/24
Open Space	CBC	Brideake Close	£ 17,000.00	2023/24
Open Space	CBC	Wakehams	£ 55,000.00	2023/24
Affordable Housing	CBC	Longley House	£1,265,984.52	2025/26

£ 2,151,003.83

7. Available Funds and Potential Future Spend

- 7.1. Officers at the Council have identified a programme of infrastructure projects to the value of £659,586.36, which are proposed to be delivered by 2026/27. The individual projects that make up this programme will be subject to the existing S106 approval process before any formal commitment is made. As of 31 December 2022, there remains £411,515.57 of other uncommitted S106 monies for which projects have yet to be identified. The table below lists the proposed infrastructure projects, which will be coming forward in due course for consideration through the S106 approval process.

Contribution Type	Project Name	Funds Provisionally Allocated	Delivery by	Organisation Requesting Funding	Status
Fire	Breathing Equipment	£ 50,000.00	TBC	WSCC	Process to Commence
Library	Business/ Information services - Crawley Library	£ 26,455.33	TBC	CBC	Process to Commence
Public Realm (MR)	County Oak or Metcalf Way Pocket Parks	£ 1,400.00	TBC	MRBID	Process to Commence
Public Realm (MR)	Public realm improvements at Crawler's Brook	£ 22,846.00	TBC	MRBID	Process to Commence
Public Realm (MR)	Gateway 2/ Street Furniture zone 3 - Manor Royal	£ 9,960.30	TBC	MRBID	Process to Commence
Open Space	Allotments	£ 26,072.25	TBC	CBC	Process to Commence
Open Space	Unsupervised Play	£ 81,824.96	2023/25	CBC	Process to Commence
Open Space	Playing Fields	£ 51,500.00	2023/25	CBC	Process to Commence
Open Space	Amenity Green Space - Three Bridges	£ 2,119.98	TBC	CBC	Process to Commence
Town Centre	Town Centre CGP	£ 12,232.93	2024/25	CBC	Process to Commence
Town Centre	Art within the Town Centre	£ 40,000.00	2024/25	CBC	Process to Commence
CCTV	TC CCTV maintenance	£ 33,290.96	2025/26	CBC	Process to Commence
Transport	Transport Crawley Growth Programme	£ 120,922.92	2024/25	CBC	Process to Commence
Transport	Three Bridges Crawley Growth Programme	£ 60,000.00	2024/25	CBC	Process to Commence
Transport	Bus Stop Contribution - Steers Lane	£ 20,845.92	2023/24	CBC	Process to Commence
Transport	Car Club	£ 2,343.00	2024/25	CBC	Process to Commence
Transport	Travel Plan	£ 6,843.15	2024/25	WSCC	Process to Commence
Transport	A23 Crawley Avenue/ Ifield Avenue Roundabout	£ 90,928.66	2026/27	WSCC	Process to Commence

£ 659,586.36

8. Summary of S106 Monies

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

Ongoing Projects

S106 Categories of Spend	Balance Brought Forward 01.10.22	Received Q3 2022/23	S106 Spend Q3 2022/23	Committed prior to Q3 2022/23 Project Ongoing	Committed Q3 2022/23	Provisionally Allocated Q3 2022/23	Uncommitted/ not Provisional Allocation 31.12.22	Total Balance 01.01.23
Transport	£830,008.95	£0.00	£49,356.91	£472,413.53	£0.00	£301,883.65	£6,354.86	£780,652.04
Public Realm (MR)	£182,001.57	£0.00	£0.00	£146,945.21	£0.00	£34,206.30	£850.06	£182,001.57
Library	£43,970.28	£0.00	£0.00	£0.00	£0.00	£26,455.33	£17,514.95	£43,970.28
Open Space	£472,572.91	£0.00	£2,740.01	£241,357.71	£66,958.00	£161,517.19	£0.00	£469,832.90
Town Centre	£77,349.36	£0.00	£813.57	£24,302.86	£0.00	£52,232.93	£0.00	£76,535.79
Fire	£152,246.81	£0.00	£0.00	£0.00	£0.00	£50,000.00	£102,246.81	£152,246.81
Education	£182,798.46	£0.00	£0.00	£0.00	£0.00	£0.00	£182,798.46	£182,798.46
CCTV	£33,291.00	£0.00	£0.00	£0.00	£0.00	£33,290.96	£0.04	£33,291.00
Affordable Housing	£1,265,984.52	£0.00	£0.00	£1,265,984.52	£0.00	£0.00	£0.00	£1,265,984.52
Tree Contribution	£262,050.39	£0.00	£160,300.00	£0.00	£0.00	£0.00	£101,750.39	£101,750.39
Total	£3,502,274.25	£0.00	£213,210.49	£2,151,003.83	£66,958.00	£659,586.36	£411,515.57	£3,289,063.76

9. Background Information

The last report to Planning Committee: [PES/424](#)

Contact Officer: Mandy Smith, Regeneration Programme Officer.
Tel: 01293438285. Email: mandy.smith@crawley.gov.uk

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Planning Obligations (excerpt from: [Developer Contributions Guidance Note](#))

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

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