

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room C - New Town Hall**, on **Monday, 24 July 2023** at **7.30 pm**

Nightline Telephone No. 07881 500 227



Chief Executive

Membership:

Councillors

S Pritchard (Chair), M Mwagale (Vice-Chair), Z Ali, J Bounds, J Charatan, J Hart, K L Jaggard, K Khan, M Morris, S Mullins and A Nawaz

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

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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 - 8
To approve as a correct record the minutes of the Planning Committee held on 3 July 2023.		
5. Objections to the Crawley Borough Council Tree Preservation Order - Oak Trees Located Between 92 Gales Drive and 139 Three Bridges Road - 02/2023	Three Bridges	9 - 20
To consider report PES/432 of the Head of Economy and Planning.		
RECOMMENDATION to CONFIRM.		
6. Planning Application CR/2023/0244/FUL - 17 Shaws Road, Northgate, Crawley	Northgate & West Green	21 - 26
To consider report PES/435a of the Head of Economy and Planning.		
RECOMMENDATION to PERMIT.		

	Pages
7. Planning Application CR/2023/0252/FUL - Three Bridges 9 Mill Road, Three Bridges, Crawley	27 - 42
<p>To consider report PES/435b of the Head of Economy and Planning.</p> <p>RECOMMENDATION to PERMIT.</p>	
8. Supplemental Agenda	
<p>Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.</p>	

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, 3 July 2023 at 7.00 pm

Councillors Present:

S Pritchard (Chair)

J Bounds, J Charatan, K L Jaggard, K Khan, Y Khan and A Nawaz

Officers Present:

Siraj Choudhury	Head of Governance, People & Performance
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Officer
Hamish Walke	Principal Planning Officer

Apologies for Absence:

Councillors Z Ali and M Mwagale

Absent:

Councillors M Morris and S Mullins

1. Disclosures of Interest

No disclosures of interests were made.

2. Lobbying Declarations

No lobbying declarations were made.

3. Minutes

The minutes of the meeting of the Planning Committee held on 24 April 2023 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2023/0198/TPO - Milton Mount Lake, Pound Hill, Crawley

The Committee considered report [PES/431a](#) of the Head of Economy and Planning which proposed as follows:

Yew 9166 - crown reduction all round of 1.5 to 2 metres.

Yew 9154 - crown reduction all round of 1.5 to 2 metres.

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for containment pruning to two yew trees in order to prevent encroachment into nearby residential gardens.

The Committee then considered the application.

RESOLVED

Consent subject to the conditions set out in report PES/431a.

5. Proposed Deed of Variation to Planning Application Cr/2020/0588/OUT relating to Nos. 42 and 44 Brighton Road, Southgate, Crawley

The Committee considered report [PES/433](#) of the Head of Economy and Planning which proposed a change by way of a Deed of Variation to the Section 106 Agreement relating to planning application CR/2020/0588/OUT – Nos. 42 and 44 Brighton Road, Southgate, Crawley.

The Principal Planning Officer provided a verbal summation of the application, which sought the Committee's agreement to make a Deed of Variation to retrospectively amend the completed S106 Agreement in order to allow for the provision of 100% affordable housing (20 units), rather than the previously secured 10% (2 units).

The Committee then considered the application. In response to a query from a Committee member, officers confirmed that Crawley Borough Council was in the process of purchasing the land at the site and that the Deed of Variation would facilitate that process.

RESOLVED

That the Committee agrees to the making of a proposed Deed of Variation to reflect the changes as set out in paragraph 5.1 of report PES/433.

6. Objections to the Crawley Borough Council Tree Preservation Order Oak Trees Located Between 92 Gales Drive and 139 Three Bridges Road - 02/2023

The Committee heard that it was proposed that report [PES/432](#) of the Head of Economy and Planning be deferred to the next meeting of the Planning Committee. Further information had arisen since the publication of the agenda, and it was advised that the item would be able to be considered more fully if it were to instead be deferred.

RESOLVED

Defer to the next meeting of the Planning Committee.

7. Section 106 Monies - Q4 2022/23

The Committee considered report [PES/434](#) of the Head of Economy and Planning, which summarised all the Section 106 (S106) monies received, spent and committed to project schemes in quarter four of the financial year 2022/23.

In response to a query from a Committee member regarding the funding of bus shelters, the Head of Economy and Planning confirmed that the next quarterly S106 report to the Committee could include a breakdown of spending on bus shelters.

A Committee member raised a concern that those wards with less developable areas saw fewer major planning applications, which meant the generation of less S106 money and less spending on projects within those wards. In response, the Head of Economy and Planning confirmed that it was not a requirement that S106 monies were spent within the same ward as the planning application that provided them; however the purpose of the funding was to offset the impact of new development on the local area. These wards did occasionally see the benefits of S106 funding from other wards.

RESOLVED

That the update on S106 monies received, spent and committed in quarter four of the financial year 2022/23 was noted.

Change to Start Time of Future Planning Committee Meetings

A Committee member proposed amending the start time of future Planning Committee meetings to 7:30pm for the remainder of the 2023/24 municipal year. The Committee discussed the advantages and disadvantages of changing the start time and, following a vote, the Committee agreed to change the start time to 7:30pm.

The Chair then sought the Committee's permission to revert the start time of any Planning Committee meeting to 7:00pm on occasions when the agenda is large and there are numerous applications to be considered, in consultation with officers and the Vice-Chair. The Committee was in agreement with this proposal.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 7.21 pm.

S Pritchard (Chair)

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Crawley Borough Council

Report to Planning Committee

24 July 2023

Objections to the Crawley Borough Council Tree Preservation Order - Oak Trees Located Between 92 Gales Drive and 139 Three Bridges Road - 02/2023

Report of the Head of Economy and Planning –*PES/432*

1. Purpose

- 1.1 This report presents the Oak Trees Located Between 92 Gales Drive And 139 Three Bridges Road - 02/2023. 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 for Oak Trees Located Between 92 Gales Drive and 139 Three Bridges Road - 02/2023 without modification.

3. Reasons for the Recommendation

- 3.1 The trees are considered to have good landscape amenity value in the surrounding area. The trees are prominent in the locality and have significant amenity value. The trees are clearly visible from the public highway.

4. Background

- 4.1 The trees the subject of this order are two Oak trees located in the rear garden of 139 Three Bridges Road, on the boundary with the rear garden of 92 Gales Drive. The trees are large and visually prominent and form part of an important line of trees which create a backdrop to and screen between Three Bridges Road and Gales Drive.
- 4.2 A TPO status enquiry was received by telephone from someone claiming to be a Tree Surgeon as they wished to cut the larger oak tree down and having checked the Local Planning Authority records the trees were found not to be protected. Upon visiting the site, one of the trees was found to have been severely and poorly pruned although it was still considered to have good amenity value and is considered likely to recover well with time. The imposition of a TPO will allow this tree the chance to recover and regain its amenity and prevent further excessive works which would further impact the trees health and amenity will offer ongoing protection to both trees in order to safeguard their futures.
- 4.3 The provisional Tree Preservation Order was made on 6th February 2023 and remains provisionally in force for a period of six months until 6th August 2023. If the Order is confirmed, the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

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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, 92 Gales Drive, Three Bridges, Crawley, West Sussex, RH10 1QE
- The owner / occupier, 139 Three Bridges Road, Three Bridges, Crawley, West Sussex, RH10 1JT

Owners and occupiers of adjoining land affected by the TPO:

- The owner / occupier, 141 Three Bridges Road, Three Bridges, Crawley, West Sussex, RH10 1JT
- The owner / occupier, 137 Three Bridges Road, Three Bridges, Crawley, West Sussex, RH10 1JT

- 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 13th March 2023. Confirmation of the order is required within six months of the date upon which the Order was provisionally made.

- 5.3 Two representations have been received from the owners of 139 Three Bridges Road and 92 Gales Drive commenting / objecting to the TPO. A copy of these letters are provided within this report at **Appendix A**. There have been subsequent exchanges in emails and a site visit with the occupants of 139 Three Bridges Road. The Group Manager's comprehensive response to the occupant the subsequent TPO matters raised is attached to the committee report as **Appendix B** for further information.

- 5.4 A summary of the comments made to the initial TPO notification are set out below.

Validity

- Concerns raised about the way in which the Order was made and how the trees came to the attention of the Local Planning Authority.

Amenity

- Both these trees are located in an enclosed garden, with properties at all boundaries. There is no access to these trees unless through my garden. From the road the trees are visible but do not understand how they are more or less significant than all the other trees visible from this position, considering only the tops of the trees are visible from this point.
- Opposite my house there remains the remnants of Tilgate Forest and further down my road there are a number of significant trees so I don't see how these trees add significant value over and above the current background especially considering this is not a conservation area.

Safety

- Recent trim of trees following health and safety concern. Our family have not been able to enjoy our personal garden because of the large tree to the centre of it, there is considerable concern over the risks posed by falling branches and acorns.
- Placing a group TPO significantly impacts our decision to live here as a family – the dangers posed by the large tree are not insignificant and I am worried for the health and wellbeing of my family.
- Concern for the spindlier tree which has been neglected which leans and has dead branches. Would like to have longer branches removed to reduce danger to property and allow more light to garden.

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Other

- We have no intention of felling either tree however maintain that this decision should be within our control as it was when we purchased the property almost 2 years ago and has been since prior to 1960s when the property was built. Want to enjoy living in property without restriction.
- The TPO should not be granted however prepared to concede that oak tree to right of property (139 Three Bridges Road) does provide beauty and does not pose a risk.

6. Amenity Value/Assessment

- 6.1 There has been concerns raised about the way in which the Order was made and how the trees came to the attention of the Local Planning Authority (LPA). The trees had come to the attention of the LPA and were considered as being under threat of removal. It is not normal practice to advise the landowner prior to a TPO being served as there is a risk the trees could be removed before the Order is made. In this case the Order was served without any prior warning to the tree owners/ occupiers and this is usual practice given the nature of the process.
- 6.2 In respect of amenity, during the site visit it was found that one oak tree had suffered an excessive level of pruning, leaving large diameter pruning wounds and without pruning to suitable growth points or indeed any growth points at all. While the long term health of the tree likely has not been impacted the short to medium term health likely has and the visual amenity of the tree has been harmed in the short to medium term also. It was considered that these works would not have been allowed had the tree already been protected and given the significance of both the trees to the visual character of the area, a TPO was considered expedient. The trees are considered to make an important contribution to the visual amenity of the area.
- 6.4 Public access to a tree is not required in order for a tree to have visual amenity or to contribute to the visual environment. The trees make a strong contribution to the character of the area in their own right as well as the wider group with which they have cohesive strength. The subject trees form part of the screen of trees which were clearly retained and incorporated into the new town development at the time. The level of contribution made by a tree/group of trees goes beyond simply the overall tree cover or gross number of trees in a particular neighbourhood.
- 6.6 In relation to safety, the imposition of a TPO does not preclude necessary or justified works from being undertaken. Works that are justified and proportional and/or required for safety are likely to receive planning consent, however the imposition of a TPO protects the tree against excessive or unnecessary works which would have a negative impact on health and amenity. The works that had already been carried out to the larger Oak are exactly what a TPO seeks to protect against. Any individual whether they are the tree owner or not can apply for works to protected trees if for example there is a need to improve light to gardens or there is concern about damage. All applications are assessed by a site visit and works considered on their merits taking into account the health and amenity of the tree.
- 6.7 When a tree is considered to be under good arboricultural management and is not considered to be under threat from unjustified or excessive works it is unlikely to be considered for protection, however the larger tree was found to have been subject to a disproportionate level of pruning which was not arboriculturally sound nor conforming to industry best practice and was not therefore considered to be under good management. It was therefore considered expedient to protect the tree along with the second tree in order to safeguard their amenity going forward.

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

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make any further verbal representations at the meeting. The Planning Committee must give full consideration to any such representations.

- 7.2 Article 8 and Article 1 of the First Protocol – 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 this tree 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 Oak Trees Located Between 92 Gales Drive And 139 Three Bridges Road - 02/2023

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-28177-36835

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 02/2023
Oak Trees Located Between 92 Gales Drive and 139
Three Bridges Road

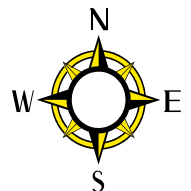
Clem Smith
Head of Economy and Planning Services



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

Scale	1:1250
Date	12/06/2023

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[REDACTED]

From [REDACTED]
Sent: 09 February 2023 15:26
To: Trees, Protected [REDACTED]
Subject: TPO request 139 Three Bridges Road

Dear Russell

Thank you for your time earlier today.

As discussed we have chosen to personally reply to this notification.

We would like to dispute the TPO order - and as discussed the grounds for the initial viewing were highly suspicious.

Due to the nature of the tree - we asked for dead branches to be removed and the overhanging branches to be cut back. We hired a reputable tree surgeon [REDACTED]

[REDACTED]

There are 2 oak trees in question. Neither have TPOs in place which was checked with the council prior to purchasing this property and at the time no plans in place for TPOs to be issued. With this in mind this property was purchased. There should already be an email chain as proof of this.

In regards to natural beauty - both these trees are located in an enclosed garden, with properties at all boundaries. There is no access to these trees unless through my rear garden (which is not large). From the road - which is a busy main road, the trees are visible - however I do not understand how they are more/less significant than all the other trees visible from this position, considering only the tops of the trees are visible from this point. Opposite my house there remains the remnant of tilgate forest and further down my road there are a number of significant trees. So I do not see how these trees in question add significant value over and above the current background especially considering this is not a conservation area.

Having said that - I do appreciate these trees and as much as possible have looked to maintain them in keeping with the character of our garden. The reason for the recent trim was following a health and safety concern for our children. Our family have not been able to enjoy our personal garden, because of the large tree to the centre of it, there is considerable concern over the risks posed by falling branches and acorns. It is for this reason we would like to maintain control over these trees and do not see how our actions are posing significant concern to the wellbeing of the trees that warrant a TPO.

Our wishes are that our family can enjoy our garden that we have worked hard for, free from concern of serious injury and for that reason we would like to maintain control over our property. Like I imagine most people do after they invest a significant amount in where they live.

[REDACTED] feel that it is unreasonable not to consider the basis of this initial request, prior to considering the request itself. [REDACTED]

We have no intentions of felling either tree however maintain that this decision should be within our control as it was when we purchased the property almost 2 years ago and it has been since prior to 1960s when the property was built.

Placing a group TPO significantly impacts our decision to live here as a family - the dangers posed by the large tree in the middle are not insignificant and I am worried for the health and wellbeing of my family. If this is not considered, I have placed formally in writing such that the council are aware of our concerns for any future matter arising from this.

Considering there are 2 trees that are being considered - although my wishes are that no TPO is granted. I am willing to concede that the oak tree on the border of my property on right as looking at it provides beauty as described AND does not pose a risk so could at least consider this as an amenable solution.

However I would see this very much as a co-operative solution. If both trees are granted TPOs, considering the safety of my family I would have no option but to consider relocating and explore further legal options.

I hope you will consider our views surrounding our house with reason and understand the need to balance a right for a family to enjoy their own property without restriction. As said considering the nature of this request - my first position is that no TPO is granted at all and the request is rejected.

On a separate note - I do think there should be some levels of protection in place such that programmes like this cannot be exploited as a means to cause stress and undue suffering on others.



McPherson, Jean

Sent: 13 March 2023 12:20
To: Trees, Protected
Subject: TPO No.02/23

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing with respect of the above TPO affecting the two oak trees on our boundary at 92 Gales Drive, Three Bridges – and wish to make the following points:-

1. During our 30 years living in the property we have only had these trees slightly pruned once.
2. The occupants of 139 Three Bridges Road on the other hand have had their side of the trees lopped twice in the 12 months they have lived there – the most recent being about a month ago when they had large boughs taken of the much larger tree overhanging their garden.
3. Our concern is for the much weaker spindlier tree on the left side facing our border. This has been neglected over the years to the extent that it has long strappy branches at the top – which are very precarious in high winds since they have little support. It is consequently much higher than its more robust neighbour and in addition is leaning about 30 degrees over the boundary towards our property. Many of the branches are dead- and in strong gusts are often blown onto our garden.
4. We raised concerns about the safety of this tree when the Planning Department were dealing with the extension to 139 Three Bridges Road – REF CR/2021/059/FUL. We also noticed that the planning officer himself questioned the closeness of these trees to the proposed extension – even though they are closer to our house than the newly constructed extension to 139 Three Bridges Rd. We received no feedback on our objection and the planning work was approved.
5. All we are looking to do at the moment is to have a professional tree surgeon take off some of the long strappy branches at the very top of the thinner tree so that it no longer poses a danger to our property over which they are completely hanging. This should strengthen the tree and make it the same time allows us some early morning light sunshine.
6. We would welcome someone from the council visiting us to see our problem.

I look forward to hearing from you.

Response for 139 Three Bridges Road

I write with reference to your complaint report submitted on the 23rd February 2023 and apologise for the delay in responding to your enquiry. In this response I have also addressed the points raised in your emails dated 15th February, 16th February, 23rd February and 10th March sent to Russell Spurrell which I understand he briefly acknowledged receipt of and referred onto me. I am Russell Spurrell's line manager.

By way of background, a Tree Preservation Order (TPO) is made by a Local Planning Authority (LPA) to protect specific trees, groups of trees or woodlands in the interests of amenity. The effect of a TPO prevents works (other than the deadwooding of a tree) without the LPA's written consent. Consent to carry out works is via application to the LPA and if not granted there is a right of appeal to the Planning Inspectorate.

Looking at the case file, the chronology of events suggests that the trees were brought to the attention of the LPA by a caller enquiring whether the trees was protected by a TPO. The typical Council procedure is such that tree surgeons and householders need to contact the LPA and complete a form in order to receive a check the status of a tree in the Borough (the TPO's are not displayed publicly). Tree surgeons in particular, will do this to check a trees status as they are well aware of risks of prosecution if they carry out works to a protected tree without the necessary consent. This process also allows the LPA to review the tree and consider based on the evidence provided with the request if the tree should be protected by a TPO (if it is not found to be already protected by an Order). This may seem a little underhand but is common practice, in accordance with the Town and Country Planning Act 1990, for a LPA to place a TPO order without first consulting the landowner and / or those with a relevant land interest. This is due to the need to ensure the tree in question is protected, because there is always a risk that the landowner or a party with a land interest or other third party decides to fell the tree before the TPO is able to be made.

The TPO procedures provide that any party can request that the LPA considers placing a TPO order on a tree. Trees can come to the attention of the LPA through the enquiry process described above or through a phonecall, staff member or Councillor and the LPA have a duty of care to respond to such requests. The decision to make a TPO to protect trees is based on their amenity value in the wider public interest, the potential threat to the trees from felling or excessive works so in this case the circumstances in which this tree came to the attention of the LPA were therefore not unusual. In such cases, the decision is taken to promptly protect the trees, the priority is to serve the Order to enable its immediate protection of the tree/s. At the service stage the LPA does not need to thoroughly check all the facts as, once made, the TPO legal process allows for consultation with affected parties and for transparency of process prior to any final decision being taken on whether or not to confirm the TPO.

The LPA is not able to divulge the name of the person who contacted it about your trees

The TPO process which is set in law requires those with land interests affected by the Order must be served a copy of the TPO by the Planning Authority once the TPO order has been put in place. Russell duly served the notice on all interested parties in accordance with the TPO regulations and all have the right to respond with their comment on the order within 28 days. Through your emails to Russell you have made your representations about the service of the TPO. This now means that the decision on whether or not to confirm the TPO

will be taken by the Planning Committee. A report will be prepared for a future meeting and your representations will be reported and you will have an opportunity to address the committee if you wish and will be notified of the Committee meeting date once the report has been prepared.

With regard to some other specific points you raise:

I can see from the email trail below that Russell has visited you about this matter.

I note that you do not plan to cut the trees down however, a TPO is made not just to protect the felling of a tree but also to control the level of surgery that can take place to it. This is because excessive surgery not only damages the visual appearance of a tree but can also harm its long term health. In this case, one tree has had surgery but 2 trees have been protected. This is quite normal as other trees near or adjacent to the subject tree are often included for good measure or if they form part of a group. The level of surgery carried out on the oak tree is considered to be excessive in arboricultural terms and with the TPO in place, the LPA can control the future works to the trees to protect them from excessive works in the future.

If you wish to have the trees trimmed you can make an application free of charge for surgery to the trees. I note that you are concerned about the health and safety of the trees in relation to you children. These concerns will be considered alongside any level of works if it can be demonstrated by yourself or a tree surgeon that the trees are dangerous, that remedial works are necessary and the level of works proposed can be justified. This process has a right of appeal if the LPA refuse application.

You ask how many trees have orders in Three Bridges Road, there are a number but exactly how many would need to be worked out through an audit of the Orders. Such information is obtainable via a Freedom of Information request.

In terms of amenity value, the trees are visible from Three Bridges Road and Gales Dive and are therefore considered to have considerable public amenity. Amenity is not defined in law but one test is that the loss of such trees would have a significant negative impact on the local environment, in this case it is considered that the loss of these trees due to their visibility, size and form would have negative impact on the surrounding area.

You mention that you may wish to seek professional advice, this is a matter for you. I trust this response has set out clearly the planning position for you, however if you want some further information on the processes and legislation the following websites may be of interest.

[Tree Preservation Orders and trees in conservation areas - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

[Works to Trees - Consent types - Planning Portal](#)

[Tree Preservation Orders - Woodland Trust](#)

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 24 July 2023
REPORT NO: PES/435(a)

REFERENCE NO: CR/2023/0244/FUL

LOCATION: [17 SHAWS ROAD, NORTHGATE, CRAWLEY](#)
WARD: Northgate & West Green
PROPOSAL: SINGLE-STOREY FLAT ROOF SIDE EXTENSION.

TARGET DECISION DATE: 19 June 2023

CASE OFFICER: Miss J Banks

APPLICANT'S NAME: Christine Moorey
AGENT'S NAME:

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
CBC0001		Location Plan
CBC0002		Block Plan
2023-01		Existing Plans and Elevations
2023-02	B	Proposed Plans and Elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

None

NEIGHBOUR NOTIFICATIONS:-

13, 15 and 19 Shaws Road.

RESPONSES RECEIVED:-

No responses received

REASON FOR REPORTING TO COMMITTEE:-

The applicant is an employee of Crawley Borough Council.

THE APPLICATION SITE:-

- 1.1 The application site contains a two-storey end of terrace property located on the western side of Shaws Road in the neighbourhood of Northgate. The house is brick built with a pitched pantile roof. On the southwest side elevation is a bay window to the living room and a flat roofed, brick built, 2.1m x 2.4m external store which both project out into an area of hardstanding which wraps around the front and side of the property, with space for 2 vehicles. To the rear of the house is the back garden which is surrounded on both sides by gardens of other properties on Shaws Road and to the rear by the garden of 14 South Close. Immediately to the southwest of the property is the garage of no.15.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of a single storey side extension to replace the existing store on the southwest side elevation. The proposed extension would extend 2.8m from the side elevation and be 2.9m in length. The rear of the extension would project out by 0.3m from the rear elevation of the dwelling. The extension will have a flat roof to a maximum height of 3m. The extension

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will be accessed internally from the kitchen and contain utility space and a shower room. The exterior will be brick built to match the existing dwelling.

PLANNING HISTORY:-

3.1 Z/49/508 NORTHGATE NEIGHBOURHOOD DEVELOPMENT PERMIT

PLANNING POLICY:-

National Planning Policy Framework (as revised on 20 July 2021)

4.1 This document sets out the presumption in favour of sustainable development. Relevant sections for this application include:

- Section 2 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Development that is not well designed should be refused.

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

4.2 The relevant policies include:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places.
- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate “Secure by Design” principles and demonstrate how the Building for Life 12 criteria would be delivered.

Draft Crawley Borough Local Plan 2024-2040

4.3 The Local Plan Review 2024-2040 was approved at the Full Council meeting on 22 February to go out to Regulation 19 consultation. This statutory consultation took place from 9 May to 20 June 2023, in accordance with the council’s approved Local Development Scheme. Submission of the Local Plan to the Secretary of State will take place later in the year:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CL1: Neighbourhood Principle
- 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 SDC1: Sustainable Design and Construction

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Supplementary Planning Document (SPD)

4.4 The Urban Design SPD is a non-statutory document which supplements the policies of the Local Plan and is applicable to this application. It contains guidelines on the standards the Council expects for the design of extensions. In particular, it states that:

Extensions

- *'An extension with good design in mind will relate appropriately to the parent dwelling's character and style, dimensions, materials and finishes of the parent dwelling and the character of the neighbourhood. Furthermore, when considering an extension it is important to think about the impact the development may have on your neighbours and the wider area'.*

Materials, Finishes and Detailing

- *'Development should incorporate materials and colours that match the existing dwelling'.*
- *'Extensions should consider existing roof pitches. A roof design that sits in harmony with the existing roof will usually be more acceptable'.*
- *'Brick detailing and fenestration (arrangement of windows) also contribute to the appearance of a dwelling. Any development should reflect the existing dwelling by ensuring that new window apertures are of a matching size and situated in line with existing ones. If an existing building features brick detailing, this should be continued or reflected in an extension'.*

Side Extensions

- *'As with a front extension, an extension on the side of a property will be prominent. Therefore, it is important that it should work successfully with its surroundings. The filling up of the gaps between houses by the construction of two-storey side extensions can make detached, or semi-detached, houses in a street look like terraced houses. This can change the character of a street quite dramatically and is known as 'terracing'. The junction of a side extension with the existing building will have to be considered and resolved through good design'.*
- *'A design solution that can be used to prevent the 'terracing effect' will leave a 2 metre gap between the side extension and the adjacent property or site boundary. This solution may not be appropriate in all cases and will be considered on a site by site basis, based on the character of the area. Furthermore, where a side gap may not be suitable, it could be explored by setting the side extension back from the front elevation'.*

Roofs

- *'The roof form above an extension will contribute to the appearance of the extension and the dwelling as a whole. A roof design that sits in harmony with the existing roof will usually be more acceptable. Roof extensions should not dominate by being too large and flat roofs are generally discouraged unless they are in harmony with the existing dwelling'.*

PLANNING CONSIDERATIONS:-

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

- The impact of the design and appearance on the dwelling, street scene and wider area character
- The impact on the amenities of neighbouring properties
- Parking
- Water Neutrality

The impact of the design and appearance on the dwelling, street scene and wider area character

5.2 The proposed side extension would be located on the southwest side elevation of the property, adjacent to the detached garage of 15 Shaws Road. The property is at the end of the terrace with its side elevation being readily visible from the street scene, in particular the existing bay window.

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Opposite the site are the brick walls of the rear gardens and garages of other properties on Shaws Road.

- 5.3 The proposed single storey extension would be constructed to closely match the design of the existing dwelling and of the store to be demolished. Similar extensions can be seen on many of the end of terrace properties on Shaws Road, of similar sizes and roof types to the proposed, showing that such proposals are not incongruous to the wider area. The proposed extension is of modest size and scale in relation to the house and would not change the appearance of the dwelling significantly from its existing appearance. It is set back from the front elevation and would be partially obscured by the existing bay window on the side elevation. Overall, the proposal would appear subservient and would not be an unsympathetic addition to the house or street scene.
- 5.4 The proposal is considered acceptable in this regard and would comply with the relevant Local Plan policies, the design guidance contained within the Urban Design SPD and the relevant paragraphs of the NPPF.

The impact on the amenities of neighbouring properties

- 5.5 The proposed extension would be on the south west side of the dwelling, which would screen the view from its attached neighbour no.19 Shaws Road, which is to the northeast and given this relationship it would have no impact on that neighbours' amenities in terms of overbearing impact or loss of privacy.
- 5.6 No. 15 Shaws Road is set at a right angle to the application site. Directly adjacent to the proposed extension and side boundary of the site is the brick wall and detached garage of no.15 and its rear garden. This arrangement of the dwellings and the single storey scale of the extension is such that there would not be a loss of outlook or privacy.
- 5.7 There are no properties directly fronting the site. No.14 South Close, to the rear, is situated some 30m from the rear elevation of no.17 such that there would be no impact from the proposed extension.
- 5.8 The proposal is therefore not considered to affect the amenities of any neighbouring properties and thus would comply with the relevant Local Plan policies, the design guidance contained within the Urban Design SPD and the relevant paragraphs of the NPPF.

Parking

- 5.9 The proposed extension would not have any impact on the existing parking arrangements at 17 Shaws Road. No additional bedrooms are proposed. Currently there is hardstanding with room for up to 2 vehicles, including an area to the side elevation, just in front of the proposed extension. As the extension is closely matching the footprint of the existing side structure, the parking space would not be reduced. The proposal is therefore not considered to adversely impact on the parking arrangements in the locality and would accord with development plan policy in this regard.

Water neutrality

- 5.10 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. A screening assessment has now been undertaken, which concludes that the evidence shows that house extensions (excluding annexes and swimming pools) do not increase water usage and are therefore water neutral. The Local Planning Authority has therefore concluded that the proposed extension 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 In conclusion, the proposed single storey side extension is considered to be of an acceptable scale and design and would be in keeping with the character and appearance of the existing dwelling and street scene. It is not considered that the proposal would have a harmful impact on neighbouring

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amenities, parking provision and would be water neutral. It is therefore considered that the proposal complies with the relevant policies of the Local Plan (2015-2030), the guidance contained within the Urban Design SPD (2016) and the relevant paragraphs of the NPPF (2021).

RECOMMENDATION RE: CR/2023/0244/FUL:-

PERMIT - subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and finishes of the external walls (and roof(s)) of the proposed single storey side extension hereby permitted shall match in colour and texture to those of the existing dwelling/building.
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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

1:413



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 24 July 2023
REPORT NO: PES/435(b)

REFERENCE NO: CR/2023/0252/FUL

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

WARD: Three Bridges

PROPOSAL: ERECTION OF TWO STOREY SIDE AND REAR EXTENSION AND SINGLE STOREY REAR EXTENSION (RE-SUBMISSION OF APPLICATION CR/2020/0054/FUL)

TARGET DECISION DATE: 22 June 2023

CASE OFFICER: Mrs A. Sanders

APPLICANT'S NAME: Architecture for London

AGENT'S NAME:

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
17019 PL000		Location Plan
17019 PL001		Site Plans
17019 PL002		Existing Floor Plans
17019 PL003 Rev	A	Existing Elevations
17019 PL200		Proposed Floor Plans
17019 PL210		Proposed Elevations
17019 PL220 Rev	A	Proposed Street Elevation
17019 PL311		Diagram Of Materials
PL17019 PL600		Window Details

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------|
| 1. WSCC Highways | No objection subject to conditions |
| 2. National Air Traffic Services (NATS) | No objection |
| 3. Thames Water | No objection |
| 4. CBC Drainage Officer | No objection subject to conditions |
| 5. CBC Energy Efficiency & Sustainability | No objection subject to conditions |
| 6. Listed Building Officer | No objection subject to conditions |
| 7. Hazelwick CAAC | No comments received |
| 8. CBC Parking | Zone F2 is already at 80% capacity, there is also limited wait bays in the road which are there for the local companies. |

NEIGHBOUR NOTIFICATIONS:-

The application was publicised by the posting of a site notice on the 24th May 2023 and a press advert was also published on the 24th May 2023. The following residents were also notified by letter:

7, 8, 10 & 12 Mill Road
Flats 1 to 4 Millbrook House
16 to 28 (even nos) & 109 Hazelwick Road
40 Brantridge Rd
10 Kimberley Road
18 Summersvere Close
2 Inholmes
40 Brantridge Road
93 The Birches
Rossley, Snow Hill, Crawley Down

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RESPONSES RECEIVED:-

Eleven letters of objection and a petition with seven signatures from five addresses have been received raising the following concerns:

- Pressure on parking – will result in the loss of parking provision and increase the demand for parking spaces, putting a burden on parking in Mill Road.
- It is within a controlled parking area where parking is already extremely challenging with limited capacity.
- No provision for the loss of parking spaces.
- This part of Mill Road is a narrow one-way street with no footpath, it would increase the risk of collision between pedestrians and vehicles.
- Lack of clear plan for building materials/ waste storage and access during construction.
- There will be no suitable location for delivery and loading of building materials. Skips would need to be placed on the road.
- Querying where the scaffolding would go?
- Could easily split the proposed development to make two separate houses.
- Access issues for construction vehicles down this narrow stretch of road as well as access issues for residents/pedestrians during construction – would cause a health and safety issue.
- Impact on the integrity of the Conservation Area – the proposal would destroy and overwhelm the Conservation Area.
- Eighth planning application over a short period of time
- The proposal is out of context and scale, and would destroy the architectural history of the area.
- Any new build would destroy the character of this row of properties.
- It would represent over-development, would be disproportionate and the siting is ill-considered.
- Impact on residential amenity – overlooking and loss of privacy.
- Increased pressure on other infrastructure - water / sewerage etc.
- Contrary to Local and National Policy and the objectives of the Hazelwick Road Conservation Area.
- Adverse flood risk impact.
- The residents of Mill Road have been consistently dismissed, silenced and ignored throughout the duration of this application process. Lack of transparency through application process.
- No protection for the safety of residents, nor considerations of the pressure placed on this small and confined piece of historical road.
- Building works could cause damage to property.

REASON FOR REPORTING TO COMMITTEE:-

More than 4 letters of objection have been received and the officer recommendation is to permit.

THE APPLICATION SITE:-

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

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northern side of the site faces the rear gardens of some properties in Hazelwick Road. The rear boundary is with No.18 Hazelwick Road.

- 1.3 The application site is located within the Hazelwick Road Conservation Area. The site is predominantly located within Environment Agency Flood Zone 1 which has a low probability of flooding although a small portion of the site is within Environment Agency Flood Zone 2 which has a medium probability of flooding.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for a two storey side and single storey rear extension following the demolition of the existing garage on the north side of No.9 Mill Road. This application is identical to the previously permitted scheme CR/2020/0054/FUL. The proposed extension would be positioned in line with the front elevation of No.9 Mill Road with a width of 4.9m, with a gap between the side elevation and the retained northern fence boundary of 0.7m. The extension would be 13.9m in length. The pitched roof, ridge, eaves, and chimney of the extension would match those of the existing house at No.9 Mill Road.
- 2.2 The two storey rear projection would extend 3m from the rear elevation and be 2.8m wide with a gable end roof. The eaves would be level to match the eaves of the main roof (5.4m), but the ridge height would be 1.8m below the ridge of the main roof measuring 6.5m.
- 2.3 To the rear, the kitchen and bathroom on the original house would be replaced with a single storey rear extension which would also extend across the width of the existing property and the two storey side extension. In total the proposed extensions to the rear would measure in total 8.9m in width, with a projection of 5.4m beyond the main original rear elevation. The single storey elements would be 3.2m in height to the top of the flat roof and 3.4m to the top of the roof lights. The projection to the rear would be the same as the existing single storey element that is to be removed. The area of roof between the two storey rear projections would have a flat roof with the two roof lights.
- 2.4 The proposed windows and doors would mirror the arrangement, style and materials of the existing windows/doors of No.9 Mill Road. The proposed brickwork including detailing and slate roof would also match No.9 Mill Road. An obscure glazed window is proposed within the north side elevation at the first floor level to serve the stairs.
- 2.5 The dwelling as extended would provide a utility room, dining room, open plan kitchen / living area and snug on the ground floor, with four bedrooms, two bathrooms and a playroom at first floor level.
- 2.6 The applicant has submitted the following documents with the application:
 - Design, Access & Heritage Statement
 - Flood Risk Assessment
 - Materials Schedule
 - Sustainability Energy Efficiently Statement

PLANNING HISTORY:-

- 3.1 CR/2021/0844/FUL
Erection Of 1 X Attached Three Bed Dwelling in Side Garden Space, And Erection Of Single Storey Side And Rear Extension And Internal Alterations To Existing Dwelling.

The application was considered by the Planning Committee on 12th July 2022 and was refused for the following reasons (currently awaiting appeal decision):

1. The development by reason of its lack of parking would not meet the operational needs of the proposed house and existing house and would result in an adverse impact on the on-street parking in the area, increasing the hazards to users of the highway contrary to policies CH3 and IN4 of the Crawley Borough Local Plan 2015-30 and the guidance in the adopted Urban Design Supplementary Document.

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2. A legal agreement is not in place to secure the appropriate affordable housing contribution and water neutrality measures required to meet the developments off-site infrastructure requirements and secure the measures required to achieve water neutrality. The proposal is contrary to policies IN1, ENV2 and H4 of the Crawley Borough Local Plan 2015-2030, and fails to address the Natural England Position Statement on water neutrality received on 14 September 2021 that requires development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, in breach of the Conservation of Species and Habitats Regulations 2017.
- 3.2 CR/2020/0054/FUL
Erection Of Two Storey Side And Rear Extension And Single Storey Rear Extension Permitted – unimplemented and permission now expired.
- 3.3 CR/2018/0923/FUL
Erection of 1 X Attached Two Bed Dwelling in Side Garden Space and Erection of Single Storey Side and Rear Extension And Internal Alterations to Existing Dwelling.
Refused on flood risk grounds and lack of a legal agreement to secure an affordable housing contribution.
- 3.4 CR/2017/1049/FUL
Erection Of 1 X Attached Four Bed Dwelling in Side Garden Space. Withdrawn.
- 3.5 CR/2017/1054/FUL
Erection of Single Storey Side And Rear Extension And Loft Conversion Involving Erection Of Rear Dormer and Internal Alterations. Withdrawn.

PLANNING POLICY:-

National Planning Policy Framework (July 2021)

- 4.1 The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. More specifically:
 - Section 2 (Sustainable Development) – This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective- to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
 - Section 5 (Delivering a sufficient supply of homes) - To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
 - Section 9 (Promoting sustainable transport) – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
 - Section 11 (Making effective use of land) – this section promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use of possible of previously-developed or ‘brownfield’ land.
 - Section 12 (Achieving well-designed places) - The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good

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design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Development that is not well designed should be refused.

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

- 4.2 This section of the NPPG advises how to take account of and address the risks associated with flooding and coastal change in the planning process.
- 4.3 The boundaries of the flood risk zones cut across the application site, with most of the proposed site of the extension being within Flood Zone 1. A small part to the rear and much of the garden is within Flood Zone 2.
- 4.4 The NPPG sets out the Flood risk vulnerability classification. In this classification buildings used for dwelling houses are classed as 'more vulnerable' and householder development including physical extensions to the existing dwelling itself are classed as minor development. The NPPG also includes the Flood Risk Vulnerability and Flood Zone Compatibility matrix which sets out which type of developments are appropriate in each particular flood zone. The extension to the existing dwelling, is minor development (householder development) as such the Environment Agency's standing advice should be followed.

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

- 4.5 The relevant policies include:
 - Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals, the council will take a positive approach to approving development which is sustainable.
 - Policy CH1: Neighbourhood Principle will be protected and enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
 - Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places. Development proposals will be required among others to respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
 - Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate "Secure by Design" principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
 - Policy CH12: Heritage Assets seeks to ensure heritage assets are not lost to development and the impact on their setting is acceptable.
 - Policy CH13: Conservation Areas states all development within a Conservation Area should individually or cumulatively result in the preservation or enhancement of the character and appearance of the area.
 - Policy ENV6: Sustainable Design and Construction requires development to demonstrate how it will meet sustainability objectives both in its design and construction processes.
 - 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.

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- Policy IN4 Car and Cycle Parking Standards. Car parking standards for residential development are based on the accessibility of the area, the levels of car ownership, and the size of any new dwellings.

Draft Crawley Borough Local Plan 2024-2040

4.6 The Local Plan Review 2024-2040 was approved at the Full Council meeting on 22 February and was out for consultation from the 9 May 2023 until 20 June 2023, in accordance with the Council's approved Local Development Scheme. Submission of the Local Plan to the Secretary of State will then happen later in the year. Limited weight should therefore be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development.
- Policy CL2: Making Successful Places: Principles of Good Urban Design.
- Policy DD1: Normal Requirements of All New Development.
- Policy HA1: Heritage Assets
- Policy HA2: Conservation Areas
- Policy SDC1: Sustainable Design and Construction
- Policy EP1: Development and Flood Risk
- Policy ST2: Car and Cycle Parking Standards.

Supplementary Planning Documents

4.7 The Supplementary Planning Documents below supplement the policies of the Local Plan. Those applicable to this application are:

Urban Design SPD 2016

- An extension with good design in mind will relate appropriately to the parent dwelling's character and style, dimensions, materials and finishes of the parent dwelling and the character of the neighbourhood. Furthermore, when considering an extension it is important to think about the impact the development may have on your neighbours and the wider area'.
- Development should incorporate materials and colours that match the existing dwelling'.
- Extensions should consider existing roof pitches. A house extension with a roof pitch that is different to the existing one can look out of place, while an extension with a matching roof pitch will likely be more suitable.
- An extension on the side of a property will be prominent. Therefore, it is important that it should work successfully with its surroundings. The filling up of the gaps between houses by the construction of two-storey side extensions can make detached, or semi-detached, houses in a street look like terraced houses. This can change the character of a street quite dramatically and is known as 'terracing'. The junction of a side extension with the existing building will have to be considered and resolved through good design.
- Overshadowing or dominating neighbours' houses and gardens can be avoided by keeping rear extensions relatively small as compared to the size of the main buildings and the gardens in which they stand.
- One or two storey rear extensions will need to maintain a minimum distance of 21 metres between the rear windows of an opposing dwelling and the rear facing windows of the extension, in order to avoid any potential overlooking and privacy issues.
- A rear extension should not consume the entirety of a dwelling's private amenity space. A garden should be retained with a minimum depth of 10.5m measured from the extension's rear external wall to the property's rear boundary in length, in order to ensure adequate private outdoor space.
- Parking Standards for residential uses states that in Three Bridges 2-3 spaces should be provided for dwellings with three or more bedrooms

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Planning and Climate Change SPD 2016

- Developers should seek to make the reduction of energy demand an integral part of the design and development processes. Developments must meet relevant requirements of Part L of the Building Regulations as a minimum, but should also consider how they might exceed these.
- Householder developments - where works of this nature affect the envelope of a building or its building services (e.g. heating, ventilation, air conditioning) they will need to meet minimum energy efficiency requirements under part L of Building Regulations, as set out in approved document L1B (dwellings) or L2B (non-residential buildings).
- Flood Risk Management - development proposals in Crawley will be assessed in relation to flood risk, in order to establish the information and measures required to satisfy the Policy, this guidance should be read in conjunction with the NPPF, PPG and the Crawley SFRA. In general, the requirements arising from ENV8 will vary according to the type of development proposed, as well as the size and location of the site. Depending on the flood zone or zones in which the site lies, additional information may be required when applying for planning permission. One important factor to consider in interpreting these requirements is the relative vulnerability of different types of development to flooding, as set out in Table 2 of the PPG. This will have a bearing on whether the proposal needs to satisfy the exception test, or whether indeed the proposal is likely to be unacceptable in principle (see Table 3 of the PPG).

Hazelwick Road Conservation Area Statement

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

PLANNING CONSIDERATIONS:-

- 5.1 The main planning considerations for this application are:
- The design and appearance of the proposal and its impact on the street scene and character of the Conservation Area
 - The impact upon neighbouring properties and occupant's amenities
 - Parking and Highway Safety
 - Flood Risk Impact
 - Water Neutrality
 - Other matters

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

- 5.2 The proposal is within the Hazelwick Road Conservation Area where all development must preserve or enhance the character and appearance of the area (Local Plan Policy CH13). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. The National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting.
- 5.3 The Conservation Area Statement for Hazelwick Road describes the character that is to be preserved/enhanced. It states; *"any new buildings should be of a high quality design and should respect the character and appearance of the Conservation Area. This can be achieved through achieving consistency with the existing scale, massing, building set-back, materials and colours, and*

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decorative features found in the Conservation Area as detailed in Part 3 of this document". The following paragraphs assess the proposal against this and Part 3 of the Statement:

- 5.4 Hazelwick Road Conservation Area is predominantly residential in nature. Buildings take the form of a mix of two storey, semi-detached houses and terraced railway cottages. The terraces are predominantly consist of three or four houses. There is a strong uniformity to building lines with narrow set-backs from the highways, low level fences/boundary walls or planting which creates an overall townscape feature of value to the Conservation Area. The proposed extension continues the scale and massing of the attached dwellings at No.7 and No.9 Mill Road by mirroring those properties in terms of building width, height and length, as well as the roof pitch, main ridge and eaves height. The proposed extension continues the building line and set back. This would result in this house and the neighbouring attached house having an appearance of a terrace of three houses. The application house would however remain as one of a pair of semi-detached properties. This extension would also effectively mirror the terrace of three properties directly opposite the site on the west side of Mill Road and therefore the resultant design would be considered consistent with the overall character of the Conservation Area and in keeping with the existing streetscene.
- 5.5 The buildings are constructed from a local stock brick and the detailing includes brick corners, interlocking quoins and arches at window and door reveals. A slate roof is proposed to match the existing house. The proposed extension would replicate the detailing of No.9 Mill Road and surrounding properties by matching the existing brick and roof materials, and the detailing around windows/doors. Chimneys are a prominent feature of the Conservation Area providing historic context and visual interest. The proposal includes a chimney stack to match the adjacent dwellings' chimney stack which includes red brick detailing.
- 5.6 Windows within the area are traditionally wood framed vertical sliding sashes. The application continues this feature by proposing wooden framed sliding sash windows. The proportions and pattern of windows would match No.9 Mill Road and reflect the character and appearance of fenestration in the Conservation Area. An aluminium bi-fold door is proposed to the rear of the property. This is different from the traditional rear of properties in the Conservation Area but is not visible from any public viewpoints and it is not considered to be harmful to the character of the Conservation Area.
- 5.7 Recessed doorways, are featured on a number of dwellings. The proposal includes a recessed doorway and brick detailing which would be in keeping with other properties within the Conservation Area. A painted timber 4 panel door is proposed to the front elevation of the extension with fan light window that would match the traditional entrances within the Conservation Area.
- 5.8 Boundary treatments within the Conservation Area frequently take the form of low, brick, front walls, with capped piers. Other low level boundary treatments include wooden fencing, concrete walls or hedging which are more recent and less sympathetic to the Conservation Area's setting and detract from its character. The proposal includes a low level brick wall with capped brick piers and railings along the front boundary. This would be considered in keeping with the Conservation Area and would be an improvement on the existing pierced concrete wall.
- 5.9 The sympathetic siting, scale, massing, design and materials of the proposal would have an acceptable impact upon the character of the existing house, the street scene and the wider character of the area. It is recommended that a condition be imposed to ensure the materials and detailing of the extension are in keeping with the character of the existing building and that of the Conservation Area. It is considered that the proposal would not conflict with the aims of the heritage policies that seek to preserve or enhance the character and appearance of Hazelwick Road Conservation Area. The proposal would not result in harm to this heritage asset. The proposal would therefore be in accordance with heritage policies CH12 and CH13, and the more general character policies CH2 and CH3 of the Crawley Borough Local Plan (2015-2030).

The impact upon neighbouring properties and occupants' amenities

- 5.10 This application would retain a 0.7m gap between the north elevation of the proposed extension and the fence boundary with Millbrook House to the north. Beyond the fence is the parking area and a patio amenity area for Millbrook House that would be approximately 14m from the proposed north elevation. Approximately 1m length of the single storey rear extension would be alongside the rear

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garden of No.24 Hazelwick Road. The height of this rear extension that would be visible from No.24 Hazelwick Road would be 3.2m, as the roof lights that give the extension a maximum overall height of 3.4m in height would be screened by the two storey elements. The extension would be 0.2m from the fence boundary. The ridge of the first floor rear element of the extension would be 1.8m below the ridge of the main roof and 3m in length. An obscure glazed window is proposed on the north elevation at the first floor level. It is considered that the proposed distance between the north elevation and facing properties, the relatively modest massing and the obscure glazing would be sufficient to prevent a harmful impact on the amenities of Millbrook House and No.24 Hazelwick Road.

- 5.11 To the east of the site is the side garden of No.18 Hazelwick Road. As that garden is approximately 31m in length and the extension would be located 20 metres from this garden it is considered that the proposal would not cause harm to the amenity of the occupants of this property.
- 5.12 To the south of the site is No.7 Mill Road which is attached to No.9 Mill Road. The proposed single storey rear extension would project to the rear to the same extent as the existing rear extension which would not project beyond the rear elevation of the single storey rear elevation of No.7 Mill Road. The proposed extension would have a flat roof and be a maximum of 3.4m in height (3.2m to the top of the flat roof and 3.4m to the top of the roof light). It is not considered that this increase in height would impact on the amenity of the occupiers of No.7 Mill Road in relation to dominance or overshadowing. As there are no side windows and the proposed rear extension is single storey it is not considered that it would result in harm in terms of overlooking in relation to No.7 Mill Road.
- 5.13 The front elevation of the extension would be located opposite No.12 Mill Road, which is on the other side of the street. The gap between the front elevation of the extension and the front elevation of 12 Mill Road would be 9 metres, including the highway and the proposal would be in line with the front elevation of No.9 Mill Road. As a result the relationship would be the same as the existing dwellings along Mill Road, and it is not considered that the proposal would cause a significant loss of light, privacy or overlooking.
- 5.14 In summary it is considered that the proposal would comply with Policy CH3 of the Local Plan and guidance contained within the Urban Design SPD in terms of neighbour impacts. The impact of the proposed parking provision on residential amenity is addressed in the highways and parking provision section below.

Parking and Highway Safety

- 5.15 Policy CH3 'Normal Requirements of All New Development' of the Crawley Borough Local Plan states that all proposals for development will be required to meet the requirements necessary for their safe and proper use, in particular access, circulation and manoeuvring, vehicle and cycle parking. Policy IN4 'Car and Cycle Parking Standards' states that development will only be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs. The Borough's parking standards contained within the Urban Design SPD seek a minimum of 2-3 spaces for a 3 plus bedroom dwelling in the Three Bridges Zone.
- 5.16 The existing property at No.9 Mill Road has a garage and space for the parking of 2 vehicles to the side of the dwelling. WSCC Highways advised on the previous application for the new dwelling (CR/2021/0844/FUL) that the existing garage is not deemed to be fit for purpose and would not contribute to the parking provision of the existing dwelling. Thus the dwelling currently has 2 off-street spaces available. The proposed extension would result in the removal of all the off-street parking provision (2 spaces) for the existing property. The extended house would have 4 bedrooms and so would not meet the requirement for a minimum of 2- 3 off street spaces for a 3+ bedroom dwelling at this location.
- 5.17 A number of comments from neighbours as well as a petition has been received that raise concerns that the proposal would increase parking pressure in the area creating problems for residents being unable to park within the locality. The representations also raise concerns that this would result in highway safety issues due to cars being parked in inappropriate locations. A parking survey on Mill Road has also been undertaken by the residents at various times throughout the day, morning and evening. This survey shows that there was always either one or two car parking spaces available in Mill Road.

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- 5.18 WSCC Highways (Local Highway Authority, LHA) comment that *'this application is a resubmission of previously permitted application CR/2020/0054/FUL, of which WSCC in its role as Local Highway Authority (LHA) provided consultation advice for, raising no highway safety concerns. From inspection of the application documents, the plans are identical to that of previously permitted CR/2020/0054/FUL. No highway safety concerns were raised previously, and this view is maintained.'*
- 5.19 In regard to previous application ref. CR/2020/0054/FUL, WSCC Highways advised that the extension would see the removal of the drive and the off-street parking provision that this currently provides. Crawley's parking guidance requires the existing and proposed dwellings to be provided with 2-3 spaces. The LHA advised that it is extremely difficult to substantiate that a shortfall of 2-3 car parking spaces will result in an unacceptable highway safety issue and therefore it was not considered a justification for a refusal on highways grounds of this previously permitted application.
- 5.20 The Highway Authority also commented that the site is in a sustainable location within walking and cycling distance of a range of public services, amenities and employment options. Bus and rail links provide a realistic travel opportunity for longer trips. It would not be anticipated that occupiers would be reliant on the use of a private motor vehicle. Nearby on-street locations which if parked on would create a highway safety issue, are protected by way of no waiting restrictions. They also commented that the applicant should provide a secure and covered cycle storage facility in the interests of sustainability.
- 5.21 In summary, in regard to the current application, the LHA does not consider that this current proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The development would therefore not be contrary to the National Planning Policy Framework (paragraph 111), and there are no transport grounds to resist the proposal.
- 5.22 The site is located within Controlled Parking Zone (CPZ) F2 where residents can apply for a permit to park within the area. The CPZ restricts parking to permit holders only between 9am – 5pm Monday to Saturday. The CPZ includes Mill Road, New Street, Hazelwick Road, Crabbet Road and part of Three Bridges Road. Crawley Borough Council Parking Services have confirmed that there is currently parking capacity within the CPZ as 80% of the permits for this zone having been issued. It however advises that if more people have permits this would impact on the CPZ and this would be exacerbated by the loss of two parking spaces at the property.
- 5.23 The representations received highlight that there are a lack of parking spaces in the evening and Sundays (when the CPZ is not in operation), and thus in the evening when there are no restrictions on parking in the bays, this area is under more parking pressure from residents and from those using the train station.
- 5.24 Before the determination of the previous planning application at this site for a new dwelling (CR/2021/0844/FUL), Officers undertook a parking survey to identify the parking situation within the locality at various times throughout the day, during evenings and at weekends. The results are set out below:

	New Street	Mill Road (one-way)	Hazelwick Road	Mill Road (two-way) up to the corner
8th June 2022 @ 12:00 (Wednesday)	8	1	In excess of 20 spaces free	6
9th June 2022 @ 21:20 (Thursday)	3	0	13	4

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13th June 2022 @ 14:30 (Monday)	8	3	In excess of 25 spaces free	7
16th June 2022 @ 21:00 (Thursday)	1	1	13	3
22nd June 2022 @ 11.05 (Wednesday)	10	1	In excess of 20 spaces free	4
25 th June 2022 @10.45 (Saturday)	9	3	In excess of 25	5
25 th June 2022 @ 17:10 (Saturday)	9	1	24	5
26 th June 2022 @ 15:00 (Sunday)	3	0	15	3

- 5.25 Whilst the survey was undertaken last year, it is not considered that the situation would have materially changed in intervening period. The survey identified that on-street parking was available close to the application site on every visit to the area. The parking survey submitted by the residents was undertaken in January 2023 and May 2023 (this took into consideration Mill Road, but none of the surrounding roads and is therefore more limited in its scope), but this also confirmed that there were parking spaces available at these times. The Council's and local residents' surveys therefore provides evidence that there is adequate on street parking provision within the local area to accommodate the loss of the two parking spaces on the application site. It is therefore considered that the proposal would not result in a material impact on on-street parking that would have adverse effects on the operation of the highway or the amenity of the area.
- 5.26 It is therefore considered that although there would be a shortfall of 2 on-site spaces, the existing on-street parking arrangements in the daytime and the spaces available in the evening in the nearby area would be sufficient to meet the demand created by this proposal and would not make the parking situation materially worse.
- 5.27 In regard to the most recent application on this site which was refused (CR/2021/0844/FUL), this was for a new dwelling, and so would result in an additional residential unit. Thus for that scheme the key issue was the parking demand associated with the existing dwelling plus the new dwelling, arising from 2 households. It was considered by the Committee that the addition of another dwelling and the loss of two existing off-street driveway parking spaces could result in four extra cars being parked on the highway, and that this would significantly diminish parking capacity in the area. This is to be contrasted with the current application which is for an extension to the existing dwelling and thus one existing household. In these circumstances the shortfall in parking would be 2 spaces, and it is not considered that this would have a material adverse impact on the parking situation in the area.
- 5.28 In regard to the impact on the locality during construction of the development, the LHA advised on application CR/2021/0844/FUL that it is a legal offence under the Highways Act to obstruct the highway, while delivery lorries would only cause a minor disruption. Materials being left on the highway would also be considered as an obstruction of the highway. This means the LHA can enforce against obstructions of the highway or if it is deemed unsafe, this would be enforced by Sussex Police. The applicant could however apply for a license to suspend the Traffic Regulation

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Order (TRO) in this location and could also apply for a license to store materials on the highway. These would be subject to their own criteria during the course of the application process.

- 5.29 Whilst the proposal does not meet the Borough Council's indicative parking standards it is considered that the shortfall is justified as there is sufficient capacity in terms of on-street parking within the area, in addition to the site being a highly sustainable urban location. The site is in close proximity to public transport and local facilities, where it is not unusual for dwellings to have no off-site parking. The proposal could also provide cycle parking to facilitate sustainable travel for the occupiers. From experience from other similar applications, it is extremely difficult to substantiate that a shortfall of 2-3 car parking spaces would result in highway safety issues and therefore it is not considered a justification for refusal on highways grounds. This was also the conclusion for the previous identical application for an extension CR/2020/0054/FUL, which was granted planning permission. Whilst that permission recently expired, it is still a material consideration in the determination of this current application. It is therefore considered that the development comprising the enlargement of this dwelling would be in accordance with Policy CH3 of the Local Plan and Annex 1 of the Urban Design SPD.

Flood Risk Impact

- 5.30 The boundaries of the flood risk zones cut across the application site, with most of the application site being within Flood Zone 1, with a small part in Flood Zone 2. Looking at the flood risk map in detail this shows that the front of the existing dwelling is in Flood Zone 1, with the rear portion of the existing house and its rear garden being in Flood Zone 2. The site of the extension would predominantly be in Flood Zone 1.

This current proposal is for an extension to the existing dwelling which is classed as 'minor development' as set out within the NPPG and so the sequential or exception tests do not need to be applied. The Flood risk vulnerability classification, also within the NPPG, shows that this extension would be classed as 'more vulnerable' but is classed as appropriate development within Flood Zone 2. As a result, the EA's Standing Advice should be applied. This states that a plan is required to show the finished floor levels (FFL) and the estimated floor level. The floors levels must be no lower than existing or 300mm above the estimated flood level. The plans should show how the development would not be flooded by surface water and proposals must follow the EA guidance on flood resistance and resilience plans. Advice must also be followed in terms of surface water management, access and evacuation.

- 5.31 In order to support the application a Flood Risk Assessment has been submitted. This states that the FFL of the proposed extension would match that of the existing dwelling which is set as 69.78 AOD. In terms of flood resilient construction, the following measures are proposed:

- The concrete slab would be at least 100mm with damp proof membrane,
- Floor finishes and skirting in resilient materials and no ferrous materials to be used under the floor,
- New services would be routed within first floor joists and drop from the ceiling rather than coming up from the ground floor
- Electrical plug sockets would be above flood level.

- 5.32 In terms of safe access and egress there would be no ground floor sleeping accommodation and residents could take refuge at first floor if needed. Safe access and egress routes are present at the site and the property is located on the edge of the flood zone with the areas immediately to the north and south outside of the fluvial flood zones. Therefore residents can and will be able to continue to exit the property to the west along Mill Road.

- 5.33 Crawley Borough Council's Drainage Engineer was consulted on the proposal and raises no objection providing that the measures set out above are adhered to. This can be addressed via a condition. It is therefore considered that the development would not result in increased risk of on or off site flooding and the development itself would be acceptably flood resilient.

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Water Neutrality

5.34 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. A screening assessment has now been undertaken, which concludes that the evidence shows that house extensions (excluding annexes and swimming pools) do not increase water usage and are therefore water neutral. The Local Planning Authority has therefore concluded that the proposed extensions 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.

Other matters

5.35 Within the letters of representations received, concern have been raised regarding the lack of transparency of the application, the failure of the planning department in the consideration of the application, manipulation of data and omission of key information when making the decision. The residents also state that officers have failed to visit and meet residents and formal complaints have not been responded to.

5.36 Each application submitted has been assessed on its own merits based on the information provided with each application. At least one site visit has been carried out by case officers for each application and all representations including from consultees and local residents have been taken into consideration in previous decisions taken and in making this recommendation to the Planning Committee. The parking surveys were undertaken by planning officers of the Council at varying times throughout the day, in the evenings and at weekends. Regarding the complaint letters, the planning department received a letter of complaint on 8th July 2022 and was responded to by the Development Manager on 2nd August 2022.

5.37 The correct procedures and consultations have been carried and the policies have been applied appropriately throughout the determination periods of each application. The determination of this application is to be made by the Planning Committee in a public forum in accordance with the Councils protocols.

CONCLUSIONS:-

6.1 The proposed extension has been designed so that it would be in keeping with the scale and character of the existing site and surrounding area. The proposal is also considered to preserve and enhance the character and appearance of the Hazelwick Road Conservation Area. The proposed extension would not adversely impact upon residential amenity in terms of loss of light, loss of privacy or result in a harmful overbearing impact/loss of outlook. In terms of parking, whilst the loss of two parking spaces is acknowledged, there is capacity on the road/local area to accommodate further vehicles and the loss of these on-site spaces would not be considered to make the existing parking situation materially worse for the residents. There would be no identified highway safety implications as a result of the loss of spaces. It is considered that the proposal for an extension to this house would not result in an adverse impact in regard to Flood Risk subject to a condition recommending that the development is carried out in accordance with the Flood Risk Assessment. The proposal would be water neutral.

6.2 As a result, the proposal is considered to accord with the policies and objectives outlined in the Crawley Borough Local Plan (2015-2030), the Supplementary Planning Documents and the NPPF (2021). It is therefore recommended to grant planning permission subject to conditions.

RECOMMENDATION RE: CR/2023/0252/FUL:-

PERMIT - subject to the following conditions.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.

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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. Prior to the occupation of the development hereby permitted, details of covered and secure cycle parking shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
REASON: In the interests of road safety and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. The materials and detailing to be used in the development hereby permitted shall strictly accord with the approved plans together with the details indicated within the 'Materials and Details' document dated 26th April 2023 and associated 'Imperial brick' data sheet and 'Del Carmen' roofing data sheet submitted with the application.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment dated March 2020 and covering letter dated 18 May 2020 which includes the following mitigation measures:
 - i) Finished floor levels shall be set no lower than 69.78 m above Ordnance Datum (AOD).
 - ii) No ground floor sleeping is introduced.
 - iii) All flood resilience measures referenced in the Flood Risk Assessment are undertaken.

These mitigation measures shall be fully implemented prior to occupation and in accordance with the scheme's timing/phasing arrangements. The 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 2015-2030.
6. Prior to the occupation of the development hereby permitted, a water butt or similar feature of not less than 4.48 cubic metres shall be installed at the rear of the property, and thereafter be retained for the duration of the development.
REASON: In order to compensate for the loss of permeable surface and to ensure the development does not increase flood risk elsewhere in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
7. The development shall not be occupied until the energy strategy and sustainability measures for the development which are described in the submitted Sustainability/Energy Efficiency Statement dated 26 April 2023 have been implemented.
REASON: In order to address sustainability objectives, in accordance with Policy ENV6 of the Crawley Borough Local Plan 2015-2030, emerging Policy SDC1 of the Submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.
8. The development shall not be occupied until details have been submitted and approved in writing by the Local Planning Authority to demonstrate that the development shall achieve a water efficiency standard, by consuming not more than 110 litres per person per day maximum water consumption.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with policy ENV9 of the Crawley Borough Local Plan 2015-2030, emerging Policies SDC1 and SDC3 of the Submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.

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1. NPPF Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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



ArcGIS Web Map



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