

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room C - Town Hall**, on **Tuesday, 14 November 2023** at **7.30 pm**

Nightline Telephone No. 07881 500 227

A handwritten signature in black ink, appearing to be "J. Ali".

Chief Executive

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

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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 To approve as a correct record the minutes of the Planning Committee held on 24 October 2023.		5 - 10
5. Planning Application CR/2023/0197/FUL - Land Adjacent to Hydehurst Lane, Northgate, Crawley To consider report PES/440a of the Head of Economy and Planning. RECOMMENDATION to PERMIT.	Langley Green & Tushmore	11 - 40
6. Planning Application CR/2023/0220/FUL - 76 Gales Drive, Three Bridges, Crawley To consider report PES/440b of the Head of Economy and Planning. RECOMMENDATION to PERMIT.	Three Bridges	41 - 48

			Pages
7.	Planning Application CR/2023/0420/FUL - Unit A, 1-3 Metcalf Way, Langley Green, Crawley	Langley Green & Tushmore	49 - 54
	To consider report PES/440c of the Head of Economy and Planning.		
	RECOMMENDATION to PERMIT.		
8.	Planning Application CR/2023/0484/FUL - 9 Mill Road, Three Bridges, Crawley	Three Bridges	55 - 76
	To consider report PES/440d of the Head of Economy and Planning.		
	RECOMMENDATION to PERMIT.		
9.	Section 106 Monies - Q1 2023/24		77 - 86
	To consider report PES/446 of the Head of Economy and Planning.		
10.	Supplemental Agenda		
	Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.		

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Crawley Borough Council

Minutes of Planning Committee

Tuesday, 24 October 2023 at 7.30 pm

Councillors Present:

S Pritchard (Chair)

M Mwagale (Vice-Chair)

Z Ali, J Bounds, J Charatan, K L Jaggard, K Khan, Y Khan, S Mullins and A Nawaz

Officers Present:

Siraj Choudhury	Head of Governance, People & Performance
James Freeman	Planning Consultant
Sallie Lappage	Strategic Planning Manager
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Officer

Apologies for Absence:

Councillor M Morris

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Interest
Councillor Ali	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – employed by a company based at Gatwick Airport.
Councillor Ali	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – a West Sussex County Council Councillor.

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Councillor Jaggard	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – donates to, but has no direct contact with, environmental charities which have an opinion on the matter.
Councillor K Khan	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – previously employed at Gatwick Airport.
Councillor K Khan	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – has attended meetings with organisations that have an opinion on the matter.
Councillor Nawaz	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – a Gatwick Airport Community Group (Gatcom) representative. Has attended meetings regarding the matter.
Councillor Nawaz	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – a trustee of Gatwick Airport Community Trust.
Councillor Nawaz	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – employed by a company that has business relations with Gatwick Airport.
Councillor Pritchard	Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation (minute 4)	Personal interest – employed by Govia Thameslink, which serves Gatwick Airport railway station.

2. Lobbying Declarations

The following lobbying declarations were made by councillors:

Councillors Ali, Bounds, Charatan, Jaggard, K Khan, and Pritchard had been lobbied but had expressed no view on item 5 (minute 4) – Gatwick Airport Northern Runway Development Consent Order – Crawley Borough Council Relevant Representation.

3. Minutes

The minutes of the meeting of the Planning Committee held on 29 August 2023 were approved as a correct record and signed by the Chair.

4. **Gatwick Airport Northern Runway Development Consent Order - Crawley Borough Council Relevant Representation**

The Committee considered report [PES/441](#) of the Head of Economy and Planning which set out Crawley Borough Council's response, in the form of a Relevant Representation, to the Development Consent Order (DCO) application for Gatwick Airport's northern runway expansion proposals.

Councillors Ali, Bounds, Charatan, Jaggard, K Khan, S Mullins, Mwagale, Nawaz, and Pritchard declared they had visited the site.

The Chair invited the Planning Consultant to give a presentation on the DCO process. The timeline of the DCO and a summary of the changes proposed by Gatwick Airport Limited (GAL) in its application were outlined. It was explained that, if agreed, the DCO document itself along with the accompanying plans and schedules would provide the legal framework for the development works associated with bringing the northern runway into routine use. It was heard that the Council's Constitution required the Planning Committee to agree its Relevant Representation for submission to the examining authority, via the Planning Inspectorate. It was estimated that a final decision on the matter was likely to be made by the Secretary of State in early 2025.

The Chair then invited the Group Manager (Development Management) to summarise the Council's Relevant Representation. It was explained that the Council was invited to respond as a lead host authority on the project as the area covered by the airport fell mainly within the borough's boundary. In forming its response, the Council had identified a wide range of issues and shortcomings within the DCO, and therefore had significant concerns. The topics set out in the report were then introduced one-by-one. The Committee made comments and asked questions of the officers in response to each topic, as set out below.

The drafting of the dDCO

Committee members sought clarification about several elements of the process of submitting the Relevant Representation. It was noted that multiple local authorities had been consulted at this stage and in forming their responses had used the same planning consultants. Each local authority had individual concerns which related to its specific area, but there were shared concerns about the impact on matters such as the local economy, highways, and noise levels. The Committee asked whether the feedback submitted by Crawley Borough Council, as a host lead authority, would be given extra weight by the Planning Inspectorate. Officers confirmed that the Council would be submitting an extensive Local Impact Report to set out the effects of the proposals on the local area, to which consideration would be given.

Following a further query from a Committee member, officers confirmed that the Council had been given 56 days to provide its Relevant Representation to the DCO application. The Committee heard that national aviation policy supported the expansion of airports in general, and that historically most DCO applications were approved by the Planning Inspectorate. It was therefore important that the Council set out its concerns in full to ensure that consideration was given to all relevant matters.

Planning Statement / Design and Access Statement (DAS)

Committee members noted that the DCO application made a lack of references to the Council's Local Plan in terms of the design of the development. It was commented that it seemed unusual to take little account of the Local Plan – officers agreed that there were concerns regarding this, and it was hoped that the Planning Inspectorate

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would seek to investigate these matters in more detail during its six-month examination period.

Project Site and Description

It was highlighted that the plans provided by GAL seemed vague and lacking in detail; the Committee deemed it important that the design and build of the proposals were of high quality. In response to a query about the extent of the Council's control over the design of the proposals, officers explained that details of some of the plans were more thorough than others; a number were lacking in detail. Parameter plans, which would set out the maximum sizes of the development, would need to be agreed and further details provided to the Council as local planning authority.

Historic Environment

The Committee made no comments specific to this topic.

Landscape, Townscape and Visual Impact

The Committee made no comments specific to this topic.

Ecology and Nature Conservation

The Committee made no comments specific to this topic.

Arboriculture

It was noted that the Relevant Representation outlined concerns about tree protection, tree loss, and ancient woodland, and the Committee was supportive of these matters being highlighted. Committee members felt that it was highly important for nearby trees and ancient woodland to be protected and preserved.

Water Environment

The Committee discussed water stress and flood risk at the site. The Relevant Representation raised concerns that the flood mitigation works proposed by GAL were not ambitious enough, and a Committee member highlighted that this was particularly relevant given that changing weather systems had led to increases in heavy rain and flooding in recent years. A concern was also raised that the proposals would reduce discharge into the River Mole by 50% and the impact this may have on biodiversity in and around the river.

Traffic and Transport

Various concerns were raised about the impact of the proposals on transport infrastructure to and from the airport. The plans to widen the access road to the airport were welcomed but concerns were raised that the DCO underestimated the amount of traffic from further afield and that the proposed measures to mitigate this were insufficient. Committee members felt that there was already significant traffic on the M23 and the proposed increase in capacity of the airport may greatly increase the number of vehicles. Officers highlighted that detailed highway improvements were proposed and traffic modelling had been undertaken, and that West Sussex County Council as local highways authority would provide detailed feedback on related matters within its own Relevant Representation. It was also heard that National Highways was a statutory consultee and had been involved in discussions with the applicant.

The Committee also discussed access to the airport via public transport. It was highlighted that the DCO made no proposals to expand the train service at Gatwick Airport railway station; significant concerns were raised that passenger footfall (particularly when taking into account those travelling with luggage) would dramatically rise with no increase in the number of rail services which was said may overwhelm the network. Committee members highlighted that the project was environmentally damaging and sought details on any proposed improvements to

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sustainable transport, to which officers explained that there was a commitment to 55% of total passengers attending the airport by public transport (with an aspiration for 60%), as well proposals to improve bus services and the setting up of a Sustainable Travel Mitigation Fund. Further concerns were nonetheless raised about insufficient mitigation measures and a lack of consideration of the impact on the rail service.

Officers highlighted that railway companies would be able to make representations during the DCO process.

Air Quality

The Committee raised queries about the proposed air quality monitoring measures. Whilst it was noted that the applicant does currently support monitoring in the area immediately surrounding the airport, there was a desire to see increased monitoring and concerns remained about the potential for greater pollution caused by the expansion proposals. Committee members queried the action that would be taken if higher than acceptable levels of air pollution were found. Officers explained that if this were to occur, either the Government or the Council could take action to improve air quality, for example through the designation of Air Quality Management Areas. It was highlighted to the Committee that there were national air quality objectives in place and that GAL predicted that levels of NO_x in the area were likely to reduce over time; the Council's Environmental Health team agreed with this prediction. A query was also raised about the potential for a reduction in air quality due to increased numbers of passengers and staff travelling to the airport via car. Officers confirmed that transport modelling had been undertaken so emissions from travel to and from the airport had been accounted for in the DCO.

Noise and Vibration

Concerns were raised about the disruption to Crawley residents local to the airport caused by increased ground noise, flight 'go-arounds' and vibration. The impact of noise created during the construction period was also discussed – officers confirmed that a noise insulation scheme was proposed for those residents who would be most affected.

Green House Gases (GHG) and Climate

The Committee made no comments specific to this topic.

Local Economic and Socio-Economic Impacts

Concerns were raised that the DCO application had overstated the projected positive economic effects of the proposals. It was noted that a significant number of jobs were proposed to be created, which were likely to mostly be lower-skilled and therefore lower-paid jobs, which the Committee suggested may negatively impact Crawley's workforce. Committee members asked whether it would be possible for GAL to provide funding for or build relationships with local education establishments to encourage young people to take up higher-skilled jobs at Gatwick; officers explained that these matters had been mentioned by GAL as future possibilities but no specifics were provided as yet. Simultaneously, the Committee highlighted that Crawley's economy had been hard-hit by the Coronavirus pandemic, in large part due to the significant number of residents employed at Gatwick which ceased operating for some time, so it was important for the town not to rely wholly on one employer. Officers highlighted that GAL had created an Employment, Skills and Business Strategy to address various economic matters but the details were not considered to be specific enough.

Health and Wellbeing

A Committee member raised concerns about the impact of light and noise pollution on the mental health of people living close to the airport. The officers confirmed that this had been addressed in the DCO application.

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Agricultural Land Use and Recreation

The Committee made no comments specific to this topic.

Other

Committee members raised a number of general questions of clarification.

- The Committee sought to understand how an increase of 60,000 flights per annum would lead to an increase of 38 million passengers p/a. Officers clarified that the current runway was not presently being used to maximum capacity, but could accommodate an additional 25 million passengers p/a by 2038. Bringing the northern runway into routine use would add additional capacity of 13 million passengers p/a by 2042. In total the current capacity would be increased by 38 million to 80 million passengers p/a by 2042
- The cost to the Council of processing the proposals and discharging the requirements as set out in the DCO was raised as a major concern by the Committee. Officers explained that it was hoped that the Council would recover 100% of related costs via funding from GAL and the Government, but the full cost of the resource required was not yet known as there was likely to be significant expenditure (e.g. on legal advice, planning consultants, and extra staff). Planning Performance Agreements had been agreed to cover some of the costs up to the start of the examination and these costs were being shared across the local authorities involved. Funding had also been secured from the Department for Levelling Up, Housing and Communities.
- Officers clarified that a Section 106 agreement would be required. It was hoped that discussions and negotiations on this would begin as soon as possible.
- In discussing the future of the DCO process, officers clarified that the matter would not be revisited by the Planning Committee as the Council's Constitution gave delegated authority to the Head of Economy and Planning. Councillors would be kept up-to-date with the process, in the main through the Council's Economic Regeneration Working Group and DCO Working Group.

Committee members conveyed their thanks to the officers involved in the drafting of the Relevant Representation and recognised that a significant amount of work had been undertaken to meet a short deadline.

The Committee concluded that it did not wish to make any amendments to the Relevant Representation, and moved to a vote on the recommendation.

RESOLVED

That the Committee agrees to the submission of the Relevant Representation to the Planning Inspectorate (as attached in Appendix A to report PES/441) as a HOLDING OBJECTION due to the significant concerns raised, subject to any non-material amendments to the final drafting of the Relevant Representation made by the Head of Economy and Planning.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.54pm.

S Pritchard (Chair)

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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 14 November 2023
REPORT NO: PES/440(a)

REFERENCE NO: CR/2023/0197/FUL

LOCATION: [LAND ADJ TO HYDEHURST LANE, NORTHGATE, CRAWLEY](#)
WARD: Langley Green & Tushmore
PROPOSAL: DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF A PARCEL DISTRIBUTION CENTRE (CLASS B8) INCLUDING CAR AND CYCLE PARKING, SERVICING, LANDSCAPING, NEW ACCESS AND ASSOCIATED WORKS

TARGET DECISION DATE: 26 June 2023

CASE OFFICER: Mrs A. Sanders

APPLICANT'S NAME: abrdn UK Real Estate Fund
AGENT'S NAME: Quod

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
11511 PL 001		Site Location Plan
11511 PL 002 Rev	E	Proposed Site Plan
11511 PL 003	A	Floor Plans
11511 PL 010		Existing Site Plan
11511 PL 020 Rev	D	Landscape General Arrangement Sheet 1 of 4
11511 PL 021 Rev	F	Landscape General Arrangement Sheet 2 of 4
11511 PL 022 Rev	E	Landscape General Arrangement Sheet 3 of 4
11511 PL 023 Rev	E	Landscape General Arrangement Sheet 4 of 4
11511 PL 024 Rev	B	Landscape Sections
11511 PL 025 Rev	D	Landscape Detail General Infrastructure
11511 PL 004	A	Roof Plan
11511 PI 005	A	Elevations
11511 PL 026	A	Landscape Boundary Sheet 1 of 2
11511 PL 027	A	Landscape Boundary Sheet 2 of 2
11511 PL 011		Demolition Site Plan
11511 PL 012 Rev	B	Proposed External Details
ECL.8446.D05.005	E	Surface Water Drainage Strategy
ECL.8446.D05.009		Drainage Cross Sections
ECL.8446.D05.008		Drainage Long Sections
11511_SK_009		Fire Hydrants Provision

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|----------------------------|--|
| 1. | GAL Planning Department | Objection as the proposal would be located wholly within the extended safeguarded boundary for the potential future development of a second runway at Gatwick Airport such that the proposal would be contrary to emerging policy GAT2 |
| 2. | GAL Aerodrome Safeguarding | No objection subject to conditions relating to landscaping and SUDs. |
| 3. | Environment Agency | No comments to make |

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4.	WSCC Highways	No objection subject to conditions relating to the submission of a Construction Management Plan.
5.	National Air Traffic Services (NATS)	No objection - discussions have taken place to secure a radar mitigation scheme therefore no objection subject to conditions
6.	Thames Water	No objection subject to informatives
7.	Sussex Building Control Partnership	No objection - anticipated compliance with Building Regulations would be achieved through the submission of an application to a Building Control Body
8.	Natural England	No comments to make
9.	Police	No objection – suggest some security measures
10.	CBC Drainage Officer	No objection subject to conditions
11.	CBC Planning Arboricultural Officer	No objection subject to conditions
12.	CBC Contaminated Land Officer	No objection
13.	CBC Environmental Health Officer (Noise)	No objection
14.	Active Travel (Formerly Crawley Cycle & Walking Forum	Suggest S106 contributions in the form of a new pedestrian crossing on Hydehurst Lane, reduce speed limit to 20mph, erect signage, create a pocket park, widen path and amend pathway of Fleming Way.
15.	Southern Water Ltd	No objection
16.	CBC Energy Efficiency & Sustainability	No objection subject to conditions
18.	CBC Urban Design	No objection in principle – requested some amendments to the landscaping scheme.
19.	Listed Building Officer	Objection - No heritage benefits have been identified as a result of the proposal. There would be some residual harm to the setting of Gatwick Manor Inn and Rowley Farm. In the absence of heritage benefits to offset this harm, the planning officer needs to identify any wider public benefits associated with the scheme in line with paragraph 202 of the NPPF.
20.	WSCC Lead Local Flood Authority	No objection subject to conditions securing a SUDS method statement, a maintenance and management plan and for the proposal to be carried out in accordance with the FRA.
21.	CBC Countryside & Open Space	No objection subject to consideration being given to the location outside the built-up area boundary. Suggest Biodiversity metric result being assessed by an ecologist.

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23.	CBC Policy - Manor Royal, Strategic Issues	No objection- the principle of this development for an extension to Manor Royal adding to the Borough's limited supply of business land, meets the requirements of the relevant economic policies of the adopted Local Plan
24.	CBC Air Quality Officer	No objection subject to conditions and S106
25.	The Gatwick Diamond Initiative	No comments received
26.	CBC Economic Development	In support of the proposal
27.	Manor Royal Business District	In support of the proposal
28.	WSCC Fire & Rescue	No objection subject to conditions requiring installation of fire hydrant
29.	WSCC Minerals	No objection
30.	WSCC - Public Rights of Way	No objection subject to completion of a S257 Agreement and completion of Temporary Diversion Order
31.	Ecology	No objection subject to conditions
32.	Archaeology	No objection subject to conditions

NEIGHBOUR NOTIFICATIONS:-

Telegan
Tesco Crawley Dot Com
The Windmill at Premier Inn
Martin Yale International Gmbh
Gatwick Manor Hotel
Rapiscan
Land Parcel
Ibis Hotel Ibis Gatwick Hotel
Third Floor
Welland Medical Welland Medical Ltd

RESPONSES RECEIVED:-

None

REASON FOR REPORTING TO COMMITTEE:-

This application is a major development.

THE APPLICATION SITE:-

- 1.1 The application site covers an area of approximately 3.4 ha and comprises three areas. The main site area is located on the north side of Hydehurst Lane opposite the Welland Medical Centre. This area is part of a field which has been heavily grazed with two attenuation ponds situated in the centre and east (both of which are used for drainage for the Tesco Distribution Centre to the south). There are boundary hedgerows and bunds with scrub to the south. In the site centre are former farm buildings surrounded by scrub and woodland. There is a grassed bund in the west, and dense vegetation forming the northern boundary. The two smaller sections of the site that are fragmented from the main area are located on the other side of Hydehurst Lane to the south-west and include

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unmanaged modified grassland, young trees, and an attenuation pond. A Public Right of Way crosses through the site from south to north.

- 1.2 The site abuts the Manor Royal Business District to the south as well as the Priority Area for District Energy Networks. The site is located outside of the built-up area boundary and within the Tilgate Park and Target Hill Long Distance View Splay. It is also within the Upper Mole Farmlands Rural Fringe Landscape Character Area. The site also abuts the Gatwick Airport Safeguarded Land as shown in the Crawley Borough Local Plan 2015 – 20230 and an area of Archaeological interest to the north. There is a protected Oak tree within the site towards the west. The site is not located within the Sussex North Water Resource Zone and therefore does not impact on Water Neutrality.
- 1.3 The application site is located approximately 1km south of Gatwick Airport and approximately 2.5km north of Crawley town centre. Manor Royal Business District, and its associated industrial units, lies to the south west, south and south east of the site. A wooded area, including Rowley Ancient Woodland and Site of Nature Conservation Importance (SNCI) lies approximately 150m to the east of the site, beyond which are further industrial units of Manor Royal Business District. To the west of the site lies the A23 London Road, which runs north-south from Crawley to Gatwick Airport. The area immediately surrounding the site to the north are fields of varying shapes and sizes. Gatwick Manor Hotel is located to the north west accessed via the A23. The Welland Medical Centre and the Tesco Distribution Centre are located to the south and east and are also accessed via Hydehurst Lane.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the demolition of the existing buildings on the site and the construction of approximately 5,900sqm of employment and logistics floorspace (5,464sqm at ground and 463sqm at first floor). The building would be use class B8 (warehouse and storage) and would create a parcel distribution centre to be operated by DPD. The building would have a width of 42m, a length of 144m with a ridge height of 13.25m and 12m to the top of the parapet wall. The building would be located in the eastern area of the site with the main car park to the west. Parking is also proposed around the building within the service yard.
- 2.2 The building would have a shallow pitched planted green roof set behind a parapet wall thus only the top portion of the roof would be visible. Numerous box roof lights would be located on the roof. The elevations would comprise horizontal composite grey cladding (colour goosewing grey) at ground floor with horizontal timber cladding (European Redwood) at first floor and above. An area of aluminium framed glazing with a feature canopy (anthracite grey in colour) is proposed to the southwestern corner of the building which is where the entrance would be located. Loading bay doors would be located on all elevations of the building and would also be anthracite grey.
- 2.3 Two new separate vehicle entrances are proposed off Hydehurst Lane on the southern boundary into the western portion of the site. One of the entrances would be for staff and visitor car parking. The other entrance would serve the operational area of the parcel distribution centre, with a servicing yard and parking for vans and HGVs. The scheme includes associated car parking (approximately 125 spaces) as well as 18 secure covered cycle spaces. Part of the existing landscape bund to the west would be removed so that the car park would be level with the proposed building and service yard. The service yard proposes parking spaces for 107 vans and 12 HGVs.
- 2.4 The existing attenuation pond to the far east of the site would be re-shaped and attenuation crates are proposed to be installed below the carpark to the west. The existing attention pond to the southwest, on the opposite side of Hydehurst Lane, but within the red line of the application site area), would also be used for surface water drainage. The existing footpath which runs through the site would be diverted so that it would be located between the boundary of the service yard and the attenuation pond to the east.
- 2.5 The following documents have been submitted in support of the application:
 - Design and Access Statement
 - Planning Statement
 - Transport Assessment

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- Framework Travel Plan
- Stage 1 Road Safety Audit
- Air Quality Assessment
- CDRA and Emissions Mitigation Statement
- Energy and Sustainability Statement
- BREEAM Pre-assessment
- External Lighting Assessment
- Statutory Services Repots
- Bird Management Plan
- Flood Risk Assessment
- External Lighting Assessment
- Ecological Impact Assessment
- Biodiversity Net Gain
- Archaeology Desk Based Assessment
- Environmental Risk Assessment
- Landscape and Visual Impact Assessment
- Landscape Maintenance and Management Plan
- Statement of Community Involvement
- Agricultural Land Classification Report
- Noise Impact Assessment
- Arboricultural Impact Assessment
- Heritage Assessment
- Mineral Resource Assessment

2.6 The proposal has been revised since submission, with small changes to the building design, amendments to the landscaping scheme, additional work on drainage, noise, energy, ecology and biodiversity. In support of these changes, the applicant has provided the following updated reports:

- Biodiversity Net Gain
- Energy and Sustainability Statement
- Bird Hazard Management Plan
- Landscape Maintenance and Management Plan
- Design and Access Statement
- Emissions Mitigation Statement
- Updated plans

PLANNING HISTORY:-

3.1 The following applications are relevant:

CR/2023/3001/EIA - SCREENING OPINION FOR ERECTION OF 3 NO. COMMERCIAL BUILDINGS FOR FLEXIBLE B2, B8 AND E(G)(III) USE; INCLUDING CAR AND CYCLE PARKING, LANDSCAPING, NEW ACCESS AND ASSOCIATED WORKS FOLLOWING DEMOLITION OF EXISTING BUILDINGS.

Not EIA development.

CR/2021/0167/FUL - ERECTION OF 3 NO. COMMERCIAL BUILDINGS FOR FLEXIBLE B2, B8 AND E(G)(III) USE; INCLUDING CAR AND CYCLE PARKING, LANDSCAPING, NEW ACCESS AND ASSOCIATED WORKS FOLLOWING DEMOLITION OF EXISTING BUILDINGS.

Yet to be determined.

CR/2021/3001/EIA - SCREENING OPINION FOR REDEVELOPMENT OF LAND ADJACENT TO HYDEHURST LANE.

Not EIA development.

PLANNING POLICY:-

4.1 National Planning Policy Framework

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The National Planning Policy Framework (NPPF) published in September 2023 states that the purpose of the planning system is to contribute to the achievement of sustainable development. In achieving this the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are an economic objective, a social objective and an environmental objective.

- Section 2 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
- Section 6 – Building a strong, competitive economy emphasises the need for the planning system to help create conditions where businesses can invest, expand and adapt in order to support the need for economic growth and productivity. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- Section 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.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change. In addition to supporting the increased use of renewable and low carbon energy and reducing greenhouse gas emissions, including complying with local sustainability requirements, flood risk should not be increased elsewhere and sustainable drainage systems should be incorporated in major developments.
- Section 15 – Conserving and enhancing the natural environment. Planning policies and decisions should contribute to and enhance the natural and local environment, including protecting and enhancing valued landscapes and biodiversity, and recognising the intrinsic character and beauty of the countryside. Development should also not add to or be at risk from pollution.
- Section 16 - Conserving and enhancing the historic environment. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

4.2 The Crawley Borough Local Plan 2015 - 2030

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

Policy CH2 (Principles of Good Urban Design) Proposals must support locally distinctive development patterns, landscape character and heritage; create defined frontages and public/private areas; create safe and attractive routes for all; connect places for people and integrate land use and transport; provide recognisable routes and landmarks; consider flexible development which responds to changing needs; provide diversity and choice to create viable places and meet local needs.

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Policy CH3 (Normal Requirements of all New Development) Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by Design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and, where any are lost, replacement tree planting should accord with the standards set out in policy CH6.

Policy CH4 (Comprehensive Development and Efficient use of Land) Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development.

Policy CH6 (Tree Planting and Replacement Standards) Sets out that where development would result in the loss of trees, these should be identified and replaced to mitigate the visual impact from the loss of canopies. The requirement for replacement trees is based on the size of the trees to be lost and this is expected to take place on site or be subject to commuted payments for planting elsewhere. The Manor Royal Design Guide sets out tree planting requirements for that area.

Policy CH7 (Structural Landscaping) requires that development proposals should protect and/or enhance structural landscaping, which runs along Manor Royal and Crawters Brook.

Policy CH8 (Important Views), the Important Views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views.

Policy CH9 (Development Outside the Built-Up Area) To ensure that Crawley's compact nature and attractive setting is maintained, development should: i. Be grouped where possible with existing buildings to minimise impact on visual amenity; ii. Be located to avoid the loss of important on-site views and off-site views towards important landscape features; iii. Reflect local character and distinctiveness in terms of form, height, scale, plot shape and size, elevations, roofline and pitch, overall colour, texture and boundary treatment (walls, hedges, fences and gates); iv. Minimise the impact of lighting to avoid blurring the distinction between urban and rural areas and in areas which are intrinsically dark to avoid light pollution to the night sky; v. Ensure the building and any outdoor storage and parking areas are not visually prominent in the landscape; vi. Does not generate an unacceptable level and/or frequency of noise in areas relatively undisturbed by noise and valued for their recreational or amenity value; vii. Does not generate traffic of a type or amount inappropriate to the rural roads; and viii. Does not introduce a use which by virtue of its operation is not compatible with the countryside. The site is located within the Upper Mole Farmlands Rural Fringe.

Policy CH11 (Rights of Way and Access to the Countryside) Unless it can be clearly shown that a Public Right of Way is unnecessary or not needed, proposals which result in the loss of a public right of way must ensure re-provision of equal or better value. Proposals which detract from the character of a right of way or other type of recreational route must adequately mitigate the impacts or provide a new resource of equal or better value if this is not possible. This may include: i) the provision of safe and convenient links to nearby rights of way/recreational routes; and/or ii) new or upgraded existing rights of way to multi-functional routes to create benefits for a range of users.

Policy CH12 (Heritage Assets) All development should ensure that Crawley's designated and non-designated heritage assets are treated as a finite resource, and that their key features or significance are not lost as a result of development. Where a development affects a heritage asset or the setting of a heritage asset, a Heritage Impact Assessment will be required. This should describe the significance of any heritage assets affected and the contribution made by their setting,

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the impact of the development, and any measures adopted to ensure the heritage asset is respected, preserved or enhanced or, for exceptionally significant development, relocated.

Policy EC9 (Rural Economy) states that the following development is supported beyond the built-up area boundary: a) New small-scale economic development, including tourism-related development; b) The reuse of existing buildings or land for business or tourism; c) The extension or replacement of buildings, when well-designed. Development and diversification of agricultural and other land-based rural businesses will be permitted, provided the business is ancillary to the operation of the holding and situated on, or adjacent to, the holding. Development proposals which would cause the permanent loss of the best and most versatile agricultural land (Grades 1, 2 and 3a in the DEFRA Agricultural Land Classification system) will not be permitted unless it can be demonstrated to the satisfaction of the borough council that there are no appropriate alternatives and there are over-riding sustainability benefits. Any proposal must also meet the requirements of Policy CH9: Development Outside the Built-Up Area.

Policy EC1 (Sustainable Economic Growth) This policy supports Crawley's role as the key economic driver for the Gatwick Diamond area and supports business growth. The policy seeks to ensure that Crawley's recognised economic role and function is maintained and enhanced through building upon and protecting the established role of Manor Royal as the key Business (B1), General Industry (B2) and Storage and Distribution (B8) location for Crawley and ensuring that it is the focus for sustainable economic growth. The policy sets out the need for approximately 23 hectares of employment land over the plan period.

Policy EC2 (Economic Growth in Main Employment Areas) recognises the significant contribution that the town's employment areas make to its economy and that of the wider area, and protects against net loss of employment floorspace.

Policy EC3 (Manor Royal) Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings. Proposals that are not for B Use Class development will be permitted at Manor Royal if it can be demonstrated that they are of a scale and function that enhances the established role and business function of Manor Royal and would not undermine the business district. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.

Policy ENV1 (Green Infrastructure) states that Crawley's multi-functional green infrastructure network will be conserved and enhanced through a number of measures including maximising opportunities to maintain and extend infrastructure links and requiring large proposals to provide new, or create links to, green infrastructure where possible.

Policy ENV2 (Biodiversity) All development will be expected to incorporate biodiversity features where appropriate and enhance existing features of nature conservation value around the development.

Policy ENV6 (Sustainable Design and Construction) All development must consider how it can address sustainability through reducing energy consumption, using renewable and low carbon energy, improving existing buildings when adding extensions, minimising carbon emissions during development and ensuring embedded carbon is retained and considering District Heat Networks, water stress and temperature extremes. A Sustainability Statement should be submitted demonstrating how sustainability has been addressed through design and construction.

Policy ENV7 (District Energy Networks) Major developments within a Priority Area for District Heat Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area.

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Policy ENV8 (Development and Flood Risk) proposals on all sites of 1 hectare or greater are to be accompanied by a Flood Risk Assessment, to include detail of mitigation demonstrating how surface water drainage from the site will be addressed.

Policy ENV9 (Tackling Water Stress) Non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.

Policy ENV10 (Pollution Management and Land Contamination) ensures that new development does not increase levels of pollution or hazards and is appropriate to its location. Where a site may be at risk from contaminants or hazardous materials, information must be provided on how the risk will be addressed and pollution treated or removed.

Policy ENV11 (Development and Noise) Noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (as existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing and future users.

Policy ENV12 (Air Quality) states that proposals that do not have a negative impact on air quality will normally be permitted.

Policy IN1 (Infrastructure Provision) Development must be supported by necessary on and off site infrastructure, including mitigation where needed, to avoid harmful impact upon existing infrastructure.

Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires proposals to be connected to high quality communications infrastructure.

Policy IN3 (Development and Requirements for Sustainable Transport) Development should be focussed to achieve sustainable transport through use of public transport, walking and cycling. Development should meet the access needs generated and not have unacceptable impact on congestion or highway safety. Proposals should be supported by a Transport Statement/Assessment.

Policy IN4 (Car and Cycle Parking Standards) Proposals should provide the appropriate car and cycle parking required by supplementary guidance.

Policy GAT2 (Safeguarded Land) the Local Plan Map identifies land which will be safeguarded from development which would be incompatible with expansion of the airport to accommodate the construction of an additional wide spaced runway (if required by national policy) together with a commensurate increase in facilities that contribute to the safe and efficient operation of the expanded airport.

4.3 Draft Crawley Borough Local Plan 2024-2040

The Local Plan Review 2024-2040 was approved for Regulation 19 consultation by Full Council on 22 February 2023. Public consultation has now concluded, and the Local Plan was submitted for examination on 31 July. Appropriate weight should therefore be given to the following policies:

SD1 Presumption in Favour of Sustainable Development
HA1 Heritage Assets
OS3 Rights of Way and Access to the Countryside
IN1 Infrastructure Provision
EC1 Sustainable Economic Growth
EC2 Economic Growth in the Main Employment Areas
EC3 Manor Royal
EC13 Rural Economy
GAT2 Safeguarded Land
ST1 Development and Requirements for Sustainable Transport
ST2 Car and Cycle Parking Standards
GI1 Green Infrastructure

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GI3 Biodiversity and Net Gain
SDC1 Sustainable Design and Construction
SDC2 District Energy Networks
SDC3 Tackling Water Stress
EP1 Development and Flood Risk
EP4 Development and Noise
EP5 Air Quality
EP6 External Lighting
DD1 Normal requirements of all New Development
DD5 Tree Replacement Standards
CL2 Making Successful Places: Principle of Good Urban Design
CL6 Structural Landscaping
CL7 Important and Valued Views
CL8 Development Outside the Built-up area

4.4 Planning and Climate Change SPD – Adopted October 2016

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

4.5 Green Infrastructure SPD – Adopted October 2016

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

4.6 Urban Design SPD – Adopted October 2016

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

In respect of non-residential development, para 3.62 states:

“The layout of non-residential development is particularly important to their success. This should address the street and the public realm in a considerate manner and not turn their back on the existing streetscape and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric. Active frontages are particularly important to the vitality of the streetscape and the success of commercial and retail uses and should be incorporated within the design from the start”.

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

Annex 1 of the SPD contains the Borough’s indicative minimum parking standards. For sites in Manor Royal the following standards apply: For B1 uses (now use class E(g)(iii)), one car parking space per 31 square metres. For general industrial (B2), one car parking space per 40 square metres and one lorry parking space per 500 square metres is sought, with a minimum of one lorry parking space. Finally, for warehousing (B8), one car parking space per 100 square metres and one lorry space per 500 square metres (minimum one space) is required. Disabled, cycle and motorcycle parking standards are also contained within Annex 1.

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

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

- New buildings to be of high quality urban design
- Proposals seek to provide active frontages to routes
- Materials and finishes of good quality and support the principles of identity and sustainability
- Proposals to achieve a high level of security
- Surface Water drainage considered

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- Water efficiency measures considered
- The development must positively contribute to the landscape and identity of Manor Royal.

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

4.8 Developer Contributions Guidance Note (published July 2016)

This sets out the Council's approach to developer contributions following the introduction of the Community Infrastructure Levy. It provides details of the CIL charges and when S106 contributions will be sought. The document also sets out the Manor Royal contribution requirement towards the public realm in this area which is at a cost of £2 per sqm of new floorspace.

PLANNING CONSIDERATIONS:-

5.1 The main planning considerations are as follows:

- Principle of the development
- The impact on visual amenity and the character of the Upper Mole Farmland Rural Area
- Transport, Highways, Parking and Public Rights of Way
- Impact on Heritage Assets
- Aviation
- Ecology
- Trees and Landscaping
- Energy and Sustainability
- Neighbouring Amenity
- Air Quality
- Noise
- Flood Risk and Drainage
- Contaminated Land
- Developer contributions

Principle of the development

- 5.2 Local Plan Policy EC1 sets out that the overarching policy objective is to ensure that Crawley's economic role and function is maintained and enhanced, retaining and maximising the available supply of employment land in order to support economic growth and to enable existing and new business to grow and prosper. The policy identifies a requirement for an additional 57.9ha business land in Crawley over the Plan period to 2030. As a result of Crawley's constrained land supply position, it identifies an available business land supply pipeline of only 23ha, and therefore a business land supply shortfall of 35ha over the Plan period to 2030. Since Local Plan adoption, available business land has continued to reduce as sites are built out, and the land supply pipeline is currently 13.73ha, as per the Employment Land Trajectory (Base Date 31 March 2023).
- 5.3 Given the constrained employment land supply position, Policy EC1 and its Reasoned Justification set out that minor extensions to Manor Royal (abutting its boundary) may be appropriate outside of the Built-Up Area Boundary where this would support the supply of business land. The policy is clear that such sites should be located outside of the Gatwick Airport safeguarded area, and that regard should be had to the countryside setting of the site, its surrounds and context.
- 5.4 Policy EC1 cross references the requirements of Policy CH9 (Development Outside the Built-Up Area) regarding the relationship of development with the landscape character the Upper Mole Farmlands Rural Fringe. In employment policy terms, the site would represent a logical extension to Manor Royal, adding to the supply of employment land in the Borough. However, this is contingent upon development being considered acceptable in landscape/countryside terms and

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meeting the requirements of Policy GAT2 (Gatwick Airport Safeguarding).

- 5.5 The supporting text (paragraph 5.20) to Policy EC1 explains that following implementation, such small scale extensions would form part of the Manor Royal Main Employment Area, and Policies EC2 and EC3 will apply.
- 5.6 Policy EC2 supports economic growth within the Main Employment Areas, and Policy EC3 supports the delivery of 'B-class' business uses within Manor Royal, requiring this to contribute positively to the overall setting and environment of the business district through high quality design and landscaping. As set out in the Developer Contributions Guidance Note, a contribution to Public Realm Improvements in Manor Royal is set at a level of £2 per square metre for new floor-space, to be provided via a S106 Agreement. This approach with regard to the Manor Royal contribution is consistent with that applied to the consented business land extension to Manor Royal at Jersey Farm (CR/2019/0696/FUL). Based on the proposed floor area of 5,776sqm, a Manor Royal contribution of £11,552 should be sought in relation to this application.
- 5.7 Local Plan Policy EC9 relates to the rural economy, setting out the circumstances where small-scale employment development will be supported beyond the built-up area boundary, and balancing this with the need to limit the urbanising effect of development on the countryside. In this regard, it is important that the policy is read alongside Local Plan Policies EC1 and CH9, both of which recognise that minor extensions to Manor Royal that would deliver new business land will be supported where appropriate within the context of their countryside setting. As required by the policy, the applicant has submitted an Agricultural Land Classification Report which sets out that the development would not result in a loss of Grade 1, 2 or 3a agricultural land.
- 5.8 Overall, the principle of this development is acceptable in proposing an extension to Manor Royal that would add to the Borough's limited supply of business land, and would meet the requirements of the relevant economic policies of the adopted 2015 Local Plan. It will however be important to ensure that the impact and relationship with the countryside setting is appropriate.

The impact on visual amenity and the character of the Upper Mole Farmland Rural Area

- 5.9 The site is situated beyond the built-up area boundary. Policy EC9 permits new small-scale economic development in these locations. The policy states that the permanent loss of the best and most versatile agricultural land (Grades 1, 2 and 3a in the DEFRA Agricultural Land Classification system) will not be permitted. Policy EC9 also notes that the requirements of Policy CH9 must also be satisfied. Policy CH9 aims to ensure Crawley's compact nature and attractive setting is maintained by requiring development outside of the built-up area to:
- "i. Be grouped where possible with existing buildings to minimise impact on visual amenity;
ii. Be located to avoid the loss of important on-site views and off-site views towards important landscape features;
iii. Reflect local character and distinctiveness in terms of form, height, scale, plot shape and size, elevations, roofline and pitch, overall colour, texture and boundary treatment (walls, hedges, fences and gates);
iv. Minimise the impact of lighting to avoid blurring the distinction between urban and rural areas and in areas which are intrinsically dark to avoid light pollution to the night sky;
v. Ensure the building and any outdoor storage and parking areas are not visually prominent in the landscape;
vi. Does not generate an unacceptable level and/or frequency of noise in areas relatively undisturbed by noise and valued for their recreational or amenity value;
vii. Does not generate traffic of a type or amount inappropriate to the rural roads; and
viii. Does not introduce a use which by virtue of its operation is not compatible with the countryside."*
- 5.10 The development would be located on an open field to the north of the Hydehurst Lane which is located in The Upper Mole Farmlands Rural Fringe but immediately north of the Manor Royal Business Park. The agricultural land in which the proposed development would be located is classified Grade 3b which confirms that the site is not the best and most versatile agricultural land.

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- 5.11 The building would be positioned lengthways and centrally within the site with space around the building so that it would be set away from the boundaries by 23m to the south, 26m to the north and 54m to the east. The building would measure a length of 144m and a width of 42m. Robust tree planting is proposed to the north, either side of the site boundary to form a substantial buffer between the proposed development and the wider countryside setting. Further screening and planting is proposed in the form of tree, hedgerow and shrub planting on all the other boundaries which would help to soften the impact of the development on the locality.
- 5.12 The neighbouring buildings south of Hydehurst Lane are at heights ranging between 15m for Tesco and 16m for Welland Medical. The proposed building would be a maximum of 13.25m in height at ridge level, with up to 12m height to the top of parapet wall. The proposed scheme would have a scale and massing in keeping with the locality of the site and is lower than the existing neighbouring buildings along Hydehurst Lane.
- 5.13 The proposed palette of materials at low level comprises neutral colours - greys and silvers, in composite panels contrasting with loading doors, similar to adjacent properties which are clad in grey metal sheeting. Timber cladding is proposed for the top section of all elevations, which will assist the transition between the rural and urban areas. A planted green roof is proposed above the main warehouse element, which further reduces the impact on the rural setting. The scheme has been designed so that it would ease the transition between the agricultural landscape to the north and Manor Royal to the south.
- 5.14 It is considered the proposed siting of the development within part of the existing field but close to existing buildings would appear as an appropriate extension to the existing commercial area without appearing dominant in the wider area. Views of the building would be softened by the existing tree/hedgerow screening and the robust landscaping proposed around the building and parking areas. Although views from Hydehurst Lane and the Public Footpath would be significantly altered, the extensive landscaping proposed, combined with the sympathetic design and presence of other commercial buildings within the immediate locality, would help to mitigate the impact and would as a result, mitigate the impact of the development on the character of the countryside.
- 5.15 It is therefore considered that the loss of a small amount of the field would not have a demonstrably harmful impact on the Upper Mole Farmlands Fringe as a whole, as it would be grouped close to existing buildings, would not result in the loss of important views and it would reflect the character of area, in particular the character of development to the east and south of the site. It is therefore considered that subject to conditions to control materials and ensure the provision of landscaping, that the impact upon visual amenity would be acceptable and there would not be a harmful impact upon the Upper Mole Farmlands Fringe.

Transport, Highways and Parking

- 5.16 The application is supported by a Transport Assessment (TA), Stage 1 Road Safety Audit and a Framework Travel Plan. Hydehurst Lane is a single carriageway, two-way road. It is accessed from London Road (A23) at its western end. Movements between Hydehurst Lane and London Road (A23) are restricted to left-in and left-out manoeuvres. The Fleming Way/London Road roundabout is located approximately 250m south of this junction. Hydehurst Lane is situated to the northern end of Manor Royal Business District, serving as an access road for two existing units, a Tesco Home Delivery Distribution Centre (approximately 11,500m² in area with 198 parking spaces and 180 van spaces) and Welland Medical Ltd (consisting of 6,500m² manufacturing land use and 1,860m² of ancillary floorspace with 193 car parking spaces provided).

Access and Visibility

- 5.17 It is proposed that two access points will be provided on Hydehurst Lane. Visibility splays of 2.4m by 4.3m are proposed from both accesses which the Local Highway Authority (LHA) have confirmed would be acceptable.
- 5.18 A pedestrian access is proposed to the immediate east of the service yard entrance/exit with a path within the site running parallel to the southern boundary up to the entrance of the building. The LHA also advise there is the opportunity to provide a pedestrian link from the existing footway on London Road along the frontage of the proposed commercial building. The LHA acknowledge that there is a

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footway on the opposite (southern) adjacent side of Hydehurst Lane but suggest that this is not as convenient for pedestrians to use and therefore request the applicant considers the above as further mitigation. Officers consider that the proposed pedestrian access would be acceptable and would provide adequate links from the south and as such do not consider that the additional pedestrian path to the north would be required in this instance.

Capacity

- 5.19 The TA sets out the proposed trip rates for logistic and distribution sites. The TA indicates that the proposals are likely to generate in the order of 77 two-way movements in the AM peak period and 82 in the PM peak period. The daily equivalent is 1033 movements. Of these 231, or 22% are likely to be associated with HGVs. An assessment has been undertaken in order to evaluate whether or not the anticipated increase in traffic is likely to have a 'unacceptable' impact upon the existing junctions. The assessment confirms that Hydehurst Lane/A23 junction operates with a significant degree of excess capacity and continues to do so in all modelled scenarios. The LHA consider that the proposals would not result in an 'Unacceptable' residual impact on the adjoining network in line with Paragraph 111 of the National Planning Policy Framework (NPPF). Officers agree with this conclusion based on the information provided.

Parking

- 5.20 It is proposed that 125 car parking spaces would be available of which 27 would be electric vehicle (EV) charging spaces and the intention is that all the LGV's associated with the development will be electric by 2030 (to be secured via S106 agreement). Six disabled bays are proposed as well as six spaces allocated for car share. There would be 107 van spaces provided as well as 12 lorry parking bays and 13 loading bays for HGVs. Two tier cycle parking is proposed for 18 bikes which meets policy requirements.
- 5.21 The level of parking accords with the Local Planning Authority's adopted standards for a B8 use which suggests a minimum requirement of 60 car parking spaces and 12 lorry spaces for a typical B8 development. The proposed provision equates to approximately 1 space per 47m² of floor area. This is comparable to the nearby Tesco site, which provides approximately 1 space per 58m² and performs a somewhat similar function. In addition a Framework Travel Plan has been submitted which aims to encourage non-vehicular modes of transport, car sharing and utilising public transport. This document will need to be updated and its monitoring secured, both of which will be part of the S106 agreement.
- 5.22 The number of parking spaces which would exceed policy requirements, is based on the applicants' operational needs due to the nature of the proposal being a parcel distribution centre. All parking would be contained within the application site ensuring that there would be no overspill onto local roads. As such it is considered that the parking arrangements would be acceptable.
- 5.23 Regarding the EV charging points, the draft local plan sets out aspirations for the number of EV charging spaces to be provided. In 2023, 41% of spaces should be EV spaces, equating to a requirement of 51 spaces of which only 27 are currently proposed to be provided with EV charging points. Given that the intention is for the LGV fleet to be electric by 2030 it is suggested that the additional EV charging spaces should be included as a requirement of the S106 to ensure that there are sufficient EV charging points for the number of electric vehicles including within the operational yard.

Public Rights of Way (PRoW)

- 5.24 As part of the proposed development, it is intended to re-direct the public footpath which is currently located towards the east, cutting through the site from Hydehurst Lane to the north. If left in its current location the footpath would run straight through the service yard of the development site. It is therefore proposed to move the footpath further to the east of the site between the service yard boundary fence and the surface water attenuation storage.
- 5.25 The PRoW Officer has advised that for any path to be moved a legal Order would be required and this can be applied for under the Town and Country Planning Act (s.257). The PRoW team would be consultees in the diversion process under s.257 and will need to approve any surface changes and widths prior to any Order being advertised. This process is currently being progressed with the

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Council's Legal Team. The applicant would also need to apply for a temporary path closure of the existing path, however this process is dealt with directly with the PRow Officer.

Transport, Highways and Parking Conclusion

- 5.26 The LHA has reviewed the information provided by the applicant and confirms that no objections are raised from a highways perspective. Officers consider that subject to conditions securing the implementation of the access and the provision of parking prior to occupation, for a construction management plan to be submitted prior to the commencement of the development, the Travel Plan to be updated and for the s.257 agreement to be completed, that the proposal would be acceptable in terms of highways and parking and as such would accord with development plan policy in this regard.

Aviation

- 5.27 The application site lies outside of the safeguarded land for a second runway at Gatwick Airport as set out in Policy GAT2 of the Crawley Borough Local Plan 2015 – 2030. In response to the initial consultations, NATS and Gatwick Airport's Planning and Safeguarding teams all raised objections to the proposed development.
- 5.28 NATS objected on the grounds of the proposal's impact upon the radar system. The applicant subsequently entered into discussions to resolve the radar concerns and advanced talks have been undertaken albeit without a concluded agreement as yet. NATS have advised that they would be happy to accept planning conditions to secure the Radar Mitigation Scheme.
- 5.29 GAL's Safeguarding team, which deals with aviation safety matters, initially raised queries about the proposed landscaping, the Bird Hazard Management Plan and the SUDs features. Further information was provided and GAL Safeguarding have now confirmed they have no objection subject to conditions relating the compliance with the Bird Hazard Management Plan, drain down times for the SUDs ponds, details of PV schemes, submission of a construction management strategy and implementation of the landscaping scheme.
- 5.30 GAL's Planning team object to the proposed development and consider that this is a greenfield site that falls outside the envelope of built development to the south of Hydehurst Lane. They comment as follows:

The proposed distribution centre would be located wholly within the extended safeguarding boundary for the potential future development of a second runway at Gatwick Airport. The provision of new development in this location would add constraints to the development and operation of an additional runway, particularly due to the scale of the buildings and their proximity to the airport which could prevent the safe operation of airfield instrumentation required for aircraft to take off and land in the event a second runway comes forward. This is a material consideration of considerable national and local importance. On that basis, GAL believe that due to its location, the proposed development would be contrary to emerging policy GAT2 and therefore object to the planning application.

- 5.31 Policy GAT2 identifies land that is safeguarded from development which would be incompatible with the expansion of the airport to accommodate the construction of an additional wide spaced runway if required by national policy. The application site boundary falls outside of the safeguarded area shown on the adopted Local Plan 2015 Map. The proposed landscape buffer does appear to extend beyond the application site boundary into the safeguarded area, though tree planting and natural landscaping would not fall within the definition of development, nor would it be contrary to the text of Local Plan paragraph 9.18: *Incompatible development within safeguarded land is regarded as development which would add constraints or increase the costs or complexity of the development or operation of an additional runway.*
- 5.32 GAL's Planning Team are objecting as the whole development would be located entirely within the safeguarded land for the potential future development of a second runway at Gatwick Airport as shown in the Gatwick Masterplan published in July 2019 and as set out in emerging Policy GAT2 of the emerging Local Plan 2024 – 2040.

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- 5.33 It is necessary to consider the status of the Crawley Borough Submission Local Plan. This was submitted to the Secretary of State 31 July 2023, with formal examination hearings to begin w/c 20 November 2023. The Submission Local Plan (and accompanying Submission Local Plan Map) show an amended safeguarding boundary that largely corresponds to that of the Gatwick Airport Master Plan, thus extending further south to the boundary with Hydehurst Lane and so affecting most of the application site.
- 5.34 With the Submission Local Plan having progressed to Examination, much greater weight may be applied to its emerging policies, except where there are outstanding objections to specific policies. It is the case that there are outstanding objections in relation to the Policy GAT2, and therefore only limited weight can be afforded to the draft GAT2.
- 5.35 The 2015 Local Plan represents the adopted development plan, and it is therefore considered that safeguarding should be applied on the basis of adopted 2015 Local Plan Policy GAT2 and the safeguarded area as shown on the 2015 Local Plan Map. An informative could be added to the Decision Notice to advise of GAL's Master Plan and the proposed application of an alternative safeguarding boundary in the emerging Plan. This is consistent with the approach taken with other planning applications.
- 5.36 GAL Planning team's objection on the grounds of safeguarded land for a potential second runway still stands. Notwithstanding the issue raised, there is no current local planning policy that would preclude the proposal on safeguarded land grounds. Consequently, it is not considered that a refusal on this basis could be sustained at appeal. With the outstanding objection, if Planning Committee is minded to grant planning permission, the Council will need to notify the Civil Aviation Authority and Gatwick Airport and allow a 28 day period for them to respond. The recommendation to grant below is therefore subject to that process being undertaken and reaching an outcome that allows planning permission to be granted.

Impact on Heritage Assets

Listed Buildings

- 5.37 There are no above ground designated heritage assets on the application site, however there are several listed buildings close to the application site, comprising important groups of former agricultural dwellings and their related farmsteads. A heritage statement has been provided with the application and this identifies 18 listed buildings within a 1km radius of the site. Of the heritage assets listed, the statement identifies no direct impact to any of the designated heritage assets in the study area, and indirect tangible and/or intangible impacts to:
- Sycamore House
 - Gatwick Manor Inn, Hyders Hall (including barn)
 - Rowley Farmhouse
 - Crown Post Barn
 - County Oak Cottage
 - Oak Cottage
- 5.38 The Listed Building Officer agrees with this assessment and considers that the other heritage assets within the study area are either too distant from the application site, or already compromised by intervening development that their significance as derived from setting would not be further impacted by the proposed development.
- 5.39 Northwest of the application site is Gatwick Manor Inn, a grade II* listed building of 15th century origins. The list description for this building states that it was formerly an open hall house on a moated site, with a cruciform crown post surviving internally. Important alterations were made to the house over the centuries, and the evidential values associated with it are very high. Within the setting of the house is a separately listed grade II barn believed to date from the late 16th or early 17th century. Together, the two buildings are an important ensemble and provide a tangible link to the medieval and post-medieval agricultural history of this part of Sussex/Surrey. The setting of the building has been altered, with the significant extensions associated with the hotel use, as well by the airport uses and the A23 London Road from which it is accessed. Car parking and modern structures have eroded the historic integrity of the former moated farmhouse, but nevertheless, there is a green verdant context to the buildings.

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- 5.40 To the southwest of the application site are County Oak Cottage, a timber framed building with subsequent 18th and 19th century extensions; and Oak Cottage, a 17th century dwelling. Both of these buildings are within the industrial estate with little of their original setting now surviving. The Listed Building Officer does not consider that these assets would suffer further harmful impacts as a result of the proposed development.
- 5.41 Northeast of the application site across the fields north of the application site is Rowley Farm. The farmhouse is listed at grade II* and is a high quality 16th century timber framed house with an early smoke bay. Adjacent to it is a late medieval crown post barn. These buildings are experienced in a more rural setting than other heritage assets in the study area. There is limited intervisibility between the application site and Rowley Farm owing to wooded field boundaries, the topography of the land and the intervening distance.
- 5.42 The Listed Buildings Office advises that none of the designated heritage assets would be directly impacted by the proposed development. Effects of the development would thus relate to the setting of heritage assets. For most in the study area, further harm to significance arising from the proposed development is unlikely owing to the distance from the site, and/or the presence of intervening development, along with an existing level of harm to settings from modern development and infrastructure.
- 5.43 It is considered that only Gatwick Manor Inn and its barn, and Rowley Farm and its barn would experience further harmful impacts resulting from the development. Today, the setting of Gatwick Manor Inn is much changed by later extensions, but it continues to be surrounded by fields on all sides, albeit the landscape to the west is intersected by the A23, and the noise intrusion to the site is considerable. A thick tree belt surrounds the built extent of the hotel grounds, and further field boundaries south and east are marked by mature trees. This limits intervisibility between the application site and the listed buildings, particularly in the summer months although glimpse views are likely, particularly in winter months.
- 5.44 Rowley Farm enjoys greater seclusion on a site within fields a short distance from the industrial and airport uses to the north, south and east. Again, wooded field boundaries provide some protection from visual intrusion of modern development within the setting, but it too suffers from noise pollution from the airport.
- 5.45 The Listed Buildings Officer considers that there would be a harmful impact to the significance of the two groups of listed buildings, albeit at the lower end of the scale of harm, and certainly less than substantial. The harm would result from the further encroachment of the industrial area including buildings of very considerable scale on fields formerly associated with these high status manor houses. Their importance is reflected in the high designation (grade II*) of the timber framed buildings, and the NPPF requires that great weight should be given to the conservation of heritage assets, proportionate to their significance. The most important value associated with these assets is likely to be their archaeological value, but their historic value is also high, and partly derived from their settings and the legibility of the fields on which the farmsteads once depended.
- 5.46 No heritage benefits have been identified as a result of these proposals. It is recognised that some mitigation has been offered by way of green buffers along the northern site boundary. Nevertheless there would be some residual harm to the setting of Gatwick Manor Inn and Rowley Farm. In the absence of heritage benefits to offset this harm, the Listed Buildings Officer defers to the LPA to identify any wider public benefits associated with the scheme in line with paragraph 202 of the NPPF.
- 5.47 In this regard, paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Officers consider that whilst there would be less than substantial harm to the two listed buildings, the public benefits in terms of adding to the Borough's limited supply of business / employment land would support economic growth in the Borough. Therefore, the proposed extension to Manor Royal is considered to outweigh the less than substantial harm in this instance. As such the scheme is considered to accord with policy in this regard.

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Archaeology

- 5.48 The proposed development site has the potential to contain archaeological remains. Small numbers of Roman finds have previously been uncovered from within the proposed development site and remains associated with nearby medieval occupation. The submitted desk-based assessment states that the groundworks associated with the proposed development have the potential to negatively impact upon archaeological remains.
- 5.49 Accordingly, the Archaeological Consultants recommend that a programme of archaeological evaluation is undertaken in advance of development to determine both the level of archaeological remains within the site and any potential mitigation measures. Conditions are recommended to this effect and as such there is no objection to the proposal on these grounds.

Ecology

- 5.50 The Ecological Impact Assessment submitted with the application identified two national designated statutory sites and four non-statutory designated sites within 2 km of the Site. The report confirmed that the site does not fall within a site of Special Scientific Interest (SSSI) Impact Risk Zones (IRZ). The habitats present on site were not considered rare. The proposals would result in the loss of the majority of the habitats on site however this would be in part compensated for through the provision of new native/wildlife-friendly planting within the landscaping strategy. The site was found to be suitable for nesting birds, bats, amphibians, reptiles, badgers and hedgehogs. Great Crested Newts were not present on the site. The site is considered of low value for bats and these habitats already experience relatively high levels of artificial illumination from adjacent developments in the south. The report concluded that the lighting strategy should be in place during the operational phase of works to ensure no disturbance to less light-tolerant bat species.
- 5.51 The Ecological Consultants advise that they are satisfied that sufficient ecological information has been provided prior to determination which provides certainty of the likely impacts on protected and Priority species/habitats and, with appropriate mitigation measures secured, the development can be made acceptable. They advise that the mitigation measures identified in the Ecological Impact Assessment should be secured and implemented in full to conserve and enhance protected and Priority Species. A condition is recommended to this effect.
- 5.52 The Biodiversity Net Gain Assessment demonstrates that the development will result in a 0.02 (0.16%) gain in habitat units and a 1.18 (77.68%) gain in hedgerow units, which is in line with national and local planning policy. However, the Ecologist advised that to ensure full clarity on the metrics, full biodiversity metric calculations are provided, along with the sizes and conditions of the proposed urban trees. A condition is recommended in this regard.
- 5.53 The Ecologist supports the planting schedules and specifications outlined within the soft landscaping scheme and generally support the recommendations of the Landscape Management and Maintenance Plan, the biodiversity enhancement measures and the Lighting Design Scheme subject to conditions securing the above.

Trees and Landscaping

- 5.54 The application is supported by an Arboricultural Impact Assessment and a Landscape and Visual Impact Assessment. 63 trees (including hedgerows and groups of trees) were identified on site. The proposed development would result in the loss of 9 trees/hedgerows of these one was classed as a grade B tree (Ash) with the remaining either grade C or U (mixture of Ash trees, a Field Maple and a Blackthorn hedge). There are some trees covered by a Tree Preservation Order (TPO) located within the site to the west which would be protected during the construction of the development. It is proposed to plant 134 new trees across the site with a further 99 trees to be planted within the additional 15m landscape buffer to the north of the site (outside of the red line boundary of the application site). New hedgerows are proposed around the new carpark to the west of the site. The main part of the site would be enclosed by 2.4m high black weld mesh fencing which would match that at the Welland Medical Centre.
- 5.55 The proposed boundary treatments to the north and east would be enhanced which would help to limit close-range views from the north, reducing the visual impact of the development. The visual

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envelope of the scheme is limited to the immediate surrounding area, ensuring there is no loss of important on-site views and views off-site towards important landscape features. Key visual receptors are users of PRoW, pedestrians, and motorists.

- 5.56 The Landscape and Visual Impact Assessment advised that the baseline conditions of the site would be altered as a result of the development. During construction, the development was assessed as having limited temporary adverse effects within the study area. During the operational phase, the development would change the character of the site. The existing field would be replaced with the introduction of a proposed building, associated access, parking and landscape. The report concluded that these effects would be localised and would not effect the overall character of the area and would not create visual intrusion. Generally, the visibility of the site is enclosed with limited to close-range and mid-range views as a result of the existing vegetation limiting visibility to and from the site. This would be further mitigated within the design, which includes the provision of green infrastructure within the site and a landscape buffer to the north.
- 5.57 Any visual effects would be limited to close-range views, so that long-distance and mid-range views are not affected by the development. The long-distance views from Target Hill and Tilgate Park will not be affected by the proposed development as due to the distance, topography, intervening vegetation and built form the proposed development does not result in any adverse impact or lead to the erosion of these views.
- 5.58 To conclude the development would introduce commercial built form to the settlement edge and whilst this would extend the settlement boundary as an extension to Manor Royal, the proposed landscape buffer along the northern boundary would provide a more gradual transition between the open countryside and the existing Manor Royal Industrial Estate. This would provide a tight visual envelope to the site, adding to the existing vegetation. The planting and maintenance of the trees outside of the application site boundary will be secured by S106 agreement. As a result the proposal is not considered to materially adversely impact upon trees or landscaping and subject to appropriate conditions, the proposal would accord with development plan policy in this regard.

Energy and Sustainability

- 5.59 Policy ENV6 (Sustainable Design and Construction) states that all development must consider how it can address sustainability through reducing energy consumption, using renewable and low carbon energy, improving existing buildings when adding extensions, minimising carbon emissions during development and ensuring embedded carbon is retained and considering District Heat Networks, water stress and temperature extremes. Policy ENV7 (District Energy Networks) states that major developments within a Priority Area for District Heat Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area. Policy ENV9 (Tackling Water Stress) states that non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- 5.60 The proposal is supported by an Energy and Sustainability Statement and a BREEAM Pre-assessment. These identify the relevant policies and seek to set out responses to them. The Energy & Sustainability Statement sets out the proposed building fabric parameters and the following proposed energy sources:
- Air source heat pump system to provide heating and cooling to the office areas
 - Electric heating and cooling to the circulation and WC areas
 - Gas boiler heating and electric cooling to warehouse area
 - 87 kWp solar PV roof array (locations for the panels are shown on the submitted roof plan)

The proposed site plan also shows a range of active electric vehicle charging points, as well as other 'passive' points with ducts provided for future provision. These can be supported from a sustainability perspective.

- 5.61 In respect of Policy ENV7 and the requirement for a District Energy network, the Energy & Sustainability Statement states that owing to the absence of any existing energy network in the locality and the nature of the heating and hot water demand in the development it is not feasible to connect to or establish a district energy network, although a 'route for pipework to connect the unit

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will be indicated, and future connections to a district heating network shall be provided from the building to the site boundary',. A condition is recommended to ensure this. In respect of Policy ENV9 the Statement makes various references to the BREEAM requirements and to the intention to install water efficient fittings, although the actual consumption rates for these are not given. The BREEAM pre-assessment further sets out that the development is targeting and expected to meet the BREEAM Local Plan requirements.

- 5.62 The Energy and Sustainability Officer requested that the Energy Statement was updated to address some inadequacies in the information provided relating to the buildings performance. This information was provided and the Energy and Sustainability Officer advised that the proposal is now acceptable subject to compliance being secured by appropriately worded conditions. Therefore subject to this the proposal would accord with policy in this regard.

The impact on nearby occupiers/neighbours

- 5.63 The closest buildings to the south, east and west contain existing commercial uses and the proposal would not adversely impact upon the occupiers of these buildings. To the northwest is Gatwick Manor which is located over 200m from the proposed development and to the northeast is Rowley Farm which is over 600m from the proposal. These distances would ensure that the proposal would not adversely impact upon the occupiers of these buildings. As such the proposal would not adversely impact upon nearby occupiers and would comply with policy in this regard.

Air Quality

- 5.64 The applicant has submitted an Air Quality Assessment and an Emissions Mitigation Statement. The Council's Air Quality Management Officer accepts the findings and considers that dust emissions during construction can be resolved by mitigation measures in accordance with best practice. This can be secured by condition.
- 5.65 In terms of the operational phase of the development, the emission associated with the additional traffic movements for the development have been calculated and the total damage cost for this application was determined as £68,574. Mitigation measures are outlined in the report which include the provision of EV charging, cycle parking and a travel plan which are in line with WSCC policy requirements. In addition and above policy requirements, it is proposed that a Fleet Strategy would be implemented to replace all LGVs operating from the site with electric vehicles by 2030. This key mitigation measure is in addition to minimum policy requirements, and procurement costs for an all-electric LGV fleet are expected to exceed the £68,574 damage cost. The damage cost calculation and proposed mitigation measures are therefore accepted. Subject to the above being secured through a S106 agreement no objection is raised in this regard.

Noise

- 5.66 The application was supported by a Noise Impact Assessment. The Environmental Health Officer (EHO) initially required further information in the form of a more accurate map to show the nearest noise sensitive receptors as well as clarification on some of the figures quoted in the report. This information was submitted.
- 5.67 The EHO advises that an assessment of HGV and other vehicle activity on site and in the wider area has been provided as well as additional sound sources from plant and equipment. Based on the noise source data and propagation calculations within the BS4142:2014+A1:2019 assessment, the EHO is confident in their approach. The consultants have demonstrated that the general area of the development has a relatively high ambient soundscape of an Industrial estate. This demonstrates that the introduction of new sources will have a relatively low impact on nearby noise sensitive premises. Consequently, the EHO raises no objection and thus the proposal would accord with development plan policy in this regard.

Flood Risk and drainage

- 5.68 The application was supported by a Flood Risk Assessment (FRA) and Drainage Strategy. The site is located within Flood Zone 1 which has a low probability of flooding and the surface water flood

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risk on site is considered to be low. The nearest main river to the site is Crawter's Brook located approx. 300m to the east of the site. The Environment Agency (EA) were consulted on the application and have no comments to make.

- 5.69 The site consists of three attenuation ponds which were constructed circa 2014 to serve as flood mitigation for Hydehurst Lane and the development to the south. The triangular pond to the east of the site receives run off from Hydehurst Lane and the Tesco Distribution Centre to the south. The centrally located second attenuation pond takes runoff from Hydehurst Lane and the Welland Medical Centre also to the south. The land parcel to the west contains an attention pond which receives runoff from Hydehurst Lane. Within the eastern portion of the site, running south to north runs an ordinary water course (ditch) which lies between the two existing attenuation ponds. A secondary watercourse is located at the junction with London Road.
- 5.70 The surface water drainage strategy proposes to re-model the existing attention pond to the east of the site to ensure that there would be no overall loss of flood mitigation, and which would continue to take the runoff from the Tesco development. This would involve re-shaping and deepening the pond. The centrally located attenuation pond would be removed and five underground attention tanks are proposed under the carpark to compensate for this loss. These would take runoff from the development site and the Welland Medical Centre. The pond to the west which serves Hydehurst Lane would remain primarily unchanged although it would receive some runoff from the western catchment area. The drainage strategy also proposes to realign the existing ditch so that it would be located on the southern boundary continuing towards the north between the attenuation pond and service yard on the east part of the site.
- 5.71 The Drainage Officer has advised that the strategy to attenuate water and discharge into a nearby water course is acceptable subject to a construction phase surface water management plan, a SuDs maintenance plan and post construction certification that the works have been implemented as stated. Conditions are proposed as suggested.
- 5.72 West Sussex Lead Local Plan Authority (LLFA) originally objected to the proposal as the FRA and associated drainage strategy omitted information regarding consistent modelling and hydraulic calculations as well as underestimation of the true consequential impact of runoff from large impermeable areas without adequate justification including the pre and post runoff volumes. Further information was provided by the applicant and the LLFA has now removed its objection subject to conditions requiring the submission of construction drawings of the drainage network and drainage components, the submission of a drainage maintenance and management scheme and for the proposal to be carried out in accordance with the FRA. Subject to these conditions the proposal would be acceptable in this regard.

Contaminated Land

- 5.73 The site lies adjacent to Manor Royal within an area of greenfield land / low intensity agricultural land. The site is not recorded as being contaminated. The applicant has submitted a Contaminated land report which concludes that the site is at low risk of contamination. Recommendations are suggested within the report which are proposed to be secured via planning condition. The Contaminated Land Officer has no objection to the proposal. As such, subject to a condition requiring implementation of the recommendations within the report, the proposal is considered acceptable in this regard.

Developer Contributions

- 5.74 The proposal would result in an increase of 5,776 sqm business floorspace on the site. Consequently, a Manor Royal contribution of £2 per sqm is sought on the net increase towards public realm improvements. This would total £11,552.
- 5.75 A S106 agreement would be required if permission is to be granted to secure the following contributions:
- Financial contribution of £11,552 for Manor Royal improvements
 - Air Quality Mitigation Measures - all electric LDV fleet and to secure additional EV charging spaces within service yard for these vehicles

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- Submission of a Travel Plan and payment of the monitoring fee of £3,500
- Secure the planting, management and maintenance of the 15m landscaping buffer to the north of the application site.

CONCLUSIONS:-

- 6.1 The development of the site would create a large modern warehouse unit, which is considered acceptable in planning policy terms and would help support Manor Royal. The warehouse design with a varied palette of materials and extensive landscaping is considered acceptable on this site. The operational needs of the site would be met by the proposed parking arrangements and the Local Highway Authority raises no objection. The proposal would be acceptable in terms of the impact on visual amenity and the character of the Upper Mole Farmland Rural Area. The proposal, in relation to matters such as sustainability, air quality, noise, trees, landscaping, ecology, residential amenity and contaminated land is acceptable, subject to conditions. Officers consider that the less than substantial harm to the heritage assets is outweighed by the need for the employment site. The proposal would not result in an adverse impact in terms of flood risk and drainage provided the development is carried out in accordance with the drainage strategy and conditions are suggested to ensure this.
- 6.2 Subject to the satisfactory conclusion of the required consultation with the Civil Aviation Authority and Gatwick Airport, officers consider the proposal to be acceptable subject to the completion of a legal agreement to secure the measures set out below. The proposal would then, subject to conditions, accord with the relevant sections of the NPPF, policies within the Local Plan and the relevant Supplementary Planning Guidance. On this basis, it is recommended that planning permission be granted.

RECOMMENDATION RE: CR/2023/0197/FUL:-

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

1. A satisfactory conclusion to the notification process with Gatwick Airport and the Civil Aviation Authority in accordance with the requirements in Annex 1 of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002;
2. The conclusion of a Section 106 legal agreement to secure:
 - Financial contribution of £11,552 Manor Royal improvements;
 - Air Quality Mitigation Measures - all electric LGV fleet and to secure additional EV charging spaces within the service yard for these vehicles.
 - Travel Plan and monitoring fee of £3,500
 - Secure the planting, management and maintenance of the 15m landscaping buffer to the north of the application site
3. And subject to the following conditions:-
 1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
 2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, including any future amendments, the proposed buildings hereby approved shall only be used for storage and distribution (B8) use only and for no other purpose defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), without the prior written consent of the Local Planning Authority.
REASON: To ensure that levels of parking provision and the appropriateness of other uses within the Manor Royal Main Employment Area can be properly assessed in accordance with policies CH3, EC2

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and EC3 of the Crawley Borough Local Plan 2015-2030 and the parking standards within the Urban Design Supplementary Planning Document.

4. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. This shall include the application site and any adjoining land which will be used during the construction period. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
 - a) the anticipated number, frequency and types of vehicles used during construction,
 - b) the method of access and routing of vehicles during construction,
 - c) the parking of vehicles by site operatives and visitors,
 - d) the loading and unloading of plant, materials and waste,
 - e) the storage of plant and materials used in construction of the development,
 - f) the erection and maintenance of security hoarding,
 - g) the provision of wheel washing facilities and other works required to mitigate the
 - h) impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
 - i) the prevention of deliveries at the site during school drop-off and pick-up time (generally 0800-0900 and 1430-1530),
 - j) Access arrangements from the public highway, including temporary accesses and alterations to existing accesses.
 - k) details of public engagement both prior to and during construction works.
 - l) Details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with CAP 1096 ‘Guidance to crane users on aviation lighting & Notification’ available at www.caa.co.uk

REASON: In the interests of highway and aircraft safety and the amenities of the area and in accordance with policies CH3, INV1, ENV11 and ENV12 of the Crawley Borough Local Plan.

REASON why pre-commencement condition: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.
5. Prior to the commencement of the development hereby permitted, including preliminary groundworks of any kind, a programme of archaeological investigation in accordance with a Written Scheme of Investigation shall be submitted to and approved in writing by the Local Planning Authority. The Written Scheme of Investigation shall then be implemented in accordance with the approved details.

REASON: In the interests of assessment and protection of archaeological assets in accordance with Policy CH12 of Crawley Borough Local Plan 2015-2030 and emerging Policy HA7 of the Submission Crawley Borough Local Plan 2024-2040

REASON why pre-commencement condition: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.
6. Within six months of the completion of the archaeological fieldwork, approved under condition 5, a post excavation assessment shall be submitted to and approved in writing by the Local Planning Authority. This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: In the interests of assessment and protection of archaeological assets in accordance with Policy CH12 of Crawley Borough Local Plan 2015-2030 and emerging Policy HA7 of the Submission Crawley Borough Local Plan 2024-2040
7. Prior to the commencement of the development hereby permitted, detailed plans and particulars of the land levels (including the proposed car park) and the finished floor levels of the building shall be submitted to and approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity, landscaping and flood risk in accordance with Policy CH3 and ENV8 of the Crawley Borough Local Plan 2015-2030.

REASON why pre-commencement: As it relates to how the building will be constructed.
8. No development shall take place until a Radar Mitigation Scheme, including a timetable for its implementation during construction, has been submitted to and approved in writing by the Local

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Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

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

REASON WHY PRE-COMMENCEMENT: As the implementation of the permission and related site setting up works, including use of cranes, could adversely affect the NATS radar system and harm aviation safety and, therefore, to ensure that any impact is mitigated in an appropriate and timely manner and in accordance with policy IN1 of the Crawley Borough Local Plan.

9. No part of the development shall be constructed more than five metres above ground level unless and until the approved Radar Mitigation Scheme (approved under condition 8) has been implemented in accordance with the agreed details. The development shall thereafter be carried out in strict accordance with the approved Scheme.

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

10. No development, including any site setting up works, shall take place until a Dust Management Plan to control the emission of dust from the demolition and construction works at the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be fully implemented on commencement of the site works in accordance with the agreed plan unless otherwise agreed in writing by the Local Planning Authority and shall remain in force until the completion of the development. The approved plan should follow the guidance and recommendations in the Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction.

REASON: In the interests of amenity in accordance with policies CH3 and ENV12 of the Crawley Borough Local Plan 2015-2030 and emerging Policy EP5 of the Submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.

REASON why pre-commencement condition: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.

11. Prior to the commencement of the development hereby permitted, a Construction Phase Surface Water Management Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- a) construction drawings of the surface water drainage network
- b) associated sustainable drainage components
- c) flow control mechanisms

The scheme shall then be constructed as per the agreed drawings, management plan and method statement, Flood Risk Assessment and Drainage Strategy by Egniol, 10th March 2023, revision C, additional calculations dated 31st October 2023 and remaining for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.

REASON: The drainage strategy requires the remodification of existing SuDS and drainage features to accommodate the new development and it is important that the proposed details and design based on the surface water modelling report is carried out as detailed to avoid environmental problems and to ensure that the development achieves a high standard of sustainability in accordance with policy ENV8 of the Crawley Borough Local Plan 2015 - 2030.

REASON why pre-commencement condition: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.

12. Prior to the commencement of the development hereby permitted, details showing the proposed location of the required fire hydrant(s) shall be submitted to and approved in writing by the Local Planning Authority in consultation with West Sussex County Council's Fire and Rescue Service. The approved fire

hydrant(s) shall be installed prior to the occupation of the development hereby permitted and only these approved details shall be implemented.

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

REASON why pre-commencement condition: As it relates to the setting up of the site.

13. The development hereby permitted shall be carried out in accordance with the Waterman Arboricultural Impact Assessment and the Tree Protection Plan dated March 2023 submitted with the application. The

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agreed tree protection measures set out within the report must be fully implemented prior to the commencement of site setting up activities or demolition and thereafter maintained for the duration of the construction works.

REASON: To ensure that the trees to be retained are not compromised during the construction of the development in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030.

REASON why pre-commencement: As site setting up activities involve risk to nearby trees and to ensure that no harm occurs to the trees that are being retained.

14. Prior to the commencement of the development hereby permitted, details of the provisions referred to in the submitted Energy and Sustainability Statement to facilitate the connection of the development to a future District Energy Network in the vicinity, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.
REASON: In the interests of environmental sustainability, in accordance with policy ENV7 of the Crawley Borough Local Plan 2015, emerging policy SDC2 of the Submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.
REASON why pre-commencement condition: As it relates to the setting up of the site.
15. The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment (dated 10th March 2023).
Reason: To ensure the flood risk is adequately addressed and not increased in accordance with NPPF and Policy EP1 of the Crawley Borough Local Plan 2015 - 2030.
16. Works on the SUDS ponds shall not commence until details of the attenuation measures and drain down times have been submitted to and approved in writing by the local planning authority. No subsequent alterations to the SUDS scheme shall take place unless first submitted to and approved in writing by the Local Planning Authority, The scheme shall be implemented as approved.
REASON: To avoid endangering the safe movement of aircraft and the operation of London Gatwick through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with policy IN1 of the Crawley Borough Local Plan 2015 - 2030.
17. Prior to the occupation of the development hereby permitted, details of the maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall be implemented prior to the first occupation of the development hereby approved and thereafter managed and maintained in accordance with the approved details for the lifetime of the development. The Local Planning Authority shall be granted access to inspect the sustainable drainage scheme for the lifetime of the development. The details of the scheme to be submitted for approval shall include:
 - I. a timetable for its implementation,
 - II. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
 - III. details of SuDS features and connecting drainage structures and maintenance requirement for each aspect
 - IV. a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.
 - V. how the SuDS features will be maintained and who is responsible for the maintenanceREASON: The drainage strategy requires the remodification of existing SuDS and drainage features to accommodate the new development and it is important that the proposed details and design based on the surface water modelling report is carried out as detailed to avoid environmental problems in accordance with policy ENV8 of the Crawley Borough Local Plan 2015 - 2030.
18. Prior to the occupation of the development hereby permitted, a post construction certification shall be submitted to and approved in writing by the Local Planning Authority. This shall confirm that the proposed works including the attenuation, drainage ditch and other SuDS features proposed in the drainage strategy have been constructed as stated. This shall be carried out by a third party and not the consultant engaged and who produced the flood risk mitigation strategy.
Reason: The drainage strategy requires the remodification of existing SuDS and drainage features to accommodate the new development and it is important that the proposed details and design based on the surface water modelling report is carried out as detailed to avoid environmental problems in accordance with Policy EN8 of the Crawley Borough Local Plan 2015 - 2030.

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19. Prior to the occupation of the development hereby permitted, a Biodiversity Enhancement Strategy for bespoke species enhancement measures shall be submitted to and approved in writing by the local planning authority.
The content of the Biodiversity Enhancement Strategy shall include the following:
a) Purpose and conservation objectives for the proposed enhancement measures;
b) detailed designs or product descriptions to achieve stated objectives;
c) orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
d) persons responsible for implementing the enhancement measures; and
e) details of initial aftercare and long-term maintenance.
The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.
REASON: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under the NPPF 2023 and s40 of the NERC Act 2006 (Priority habitats & species).
20. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (Delta Simons Ltd, March 2023) as submitted with the planning application. Only these approved details shall be implemented.
REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species).
21. Prior to the occupation of the development hereby permitted, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following:
a) Description and evaluation of features to be managed.
b) Ecological trends and constraints on site that might influence management.
c) Aims and objectives of management, in line with the Biodiversity Net Gain Assessment (Delta Simons Ltd, March 2023)
d) Appropriate management options for achieving aims and objectives.
e) Prescriptions for management actions.
f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30-year period).
g) Details of the body or organisation responsible for implementation of the plan.
h) Ongoing monitoring and remedial measures.
The LEMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.
REASON: To allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policies CH3, ENV1 and ENV2 of the Crawley Borough Local Plan.
22. The development hereby permitted shall be carried out in accordance with the approved landscaping scheme as shown on drawings 11511 PL 020 Rev D, 11511 PL 021 Rev F, 11511 PL 022 Rev E and 11511 PL 023 Rev E. No alterations to the approved landscaping scheme shall take place unless otherwise submitted to and approved in writing by the local planning authority.
REASON: The scheme has been designed to mitigate bird hazard and avoid endangering the safe movements off aircraft and the operation of London Gatwick through the attraction of birds in accordance with Policy IN1 of the Crawley Borough Local Plan 2015 - 2030.
23. All planting, seeding or turfing comprised in the approved details of landscaping, approved under condition 22, shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become

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seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

24. No above ground development shall be carried out unless and until a schedule of materials and finishes including the proposed glazing, along with samples of such materials and finishes, to be used for external walls and roofs of the proposed building have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed materials unless otherwise agreed in writing by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
25. No solar panels shall be installed until full details of the proposed solar panels and a glint and glare assessment has been submitted to and approved in writing by the Local Planning Authority. The solar panels shall be installed in strict accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigation and surveillance equipment or glint and glare issues and in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.
26. The development shall not be occupied until the measures detailed in the submitted Energy and Sustainability Statement Ref 6063-CBC-HR-RP-S-002-P04 Rev 004, including the installation of the solar photovoltaic panels, approved under condition 25, have been implemented, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030, emerging Policy SDC1 of the Submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.
27. Within six months of the occupation of the building hereby permitted, a post-construction report verifying that the development has achieved the minimum Energy and Water standards for BREEAM 'Excellent', shall be submitted to and been agreed in writing by the Local Planning Authority.
REASON: In the interests of sustainable design and construction in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015, emerging policies SDC1 and SDC3 of the Submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.
28. The development hereby permitted shall be carried out in accordance with Bird Hazard Management Plan submitted with the application which shall be implemented upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to manage the roofs in order to minimise their attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport and in accordance with policy IN1 of the Crawley Borough Local Plan.
29. The development hereby permitted shall not be first occupied until such time as the vehicular accesses serving the building and carpark have been constructed in accordance with the approved details shown within the Motion Transport Assessment dated 14/03/2023.
REASON: In the interests of road safety and in accordance with policy CH3 of the Crawley Borough Local Plan.
30. The development hereby permitted shall not be first occupied until the car parking, including disabled spaces, HGV and LGV parking and service yard serving the unit has been constructed in accordance with the approved site plan. Once provided, the spaces shall thereafter be retained at all times for their designated purpose.
REASON: To provide vehicle parking spaces for the use in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan and the parking standards set out in the Urban Design Supplementary Planning Document.

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31. The development hereby permitted shall not be first occupied until covered and secure cycle parking spaces serving the building have been provided in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. The provision shall be implemented and thereafter be retained for the secure storage of cycles.
REASON: To provide alternative travel options to the use of the car in accordance with current sustainable transport policies and in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan and the parking standards set out in the Urban Design Supplementary Planning Document.
32. The development shall not be occupied until active and passive provision for electric vehicle charging has been installed in accordance with drawing no. 11511 PL 002 Rev E. The EV charging spaces shall be made operational on first occupation of the unit and such provision shall thereafter be retained.
REASON: In the interests of environmental sustainability, 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.

INFORMATIVES

1. Given the nature of the proposed development it is possible that a crane may be required during its installation. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. London Gatwick requires a minimum of four weeks notice. For crane queries/applications please visit www.business.gatwickairport.com/b2b/aerodrome/crane-permits Crane Permits (gatwickairport.com) or email cranes@gatwickairport.com
2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
3. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>
4. Erection of flow control structures or any culverting of an ordinary watercourse requires consent from the appropriate authority, which in this instance is Chichester District Council on behalf of West Sussex County Council. It is advised to discuss proposals for any works at an early stage of proposals.
5. The applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them. The applicant should contact 03708 506 506 or consult the EA website (<https://www.gov.uk/guidance/check-if-you-need-an-environmental-permit>) to establish whether a consent will be required.
6. To make an application visit Southern Water's Get Connected service: developerservices.southernwater.co.uk and please read our New Connections Charging Arrangements documents which are available to read on our website via the following link southernwater.co.uk/developing-building/connection-charging-arrangements
For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
Website: southernwater.co.uk or by email at: SouthernWaterPlanning@southernwater.co.uk
7. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is

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requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

8. Within the boundaries of Crawley Borough Council, the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.
The permitted hours for noisy construction work in the Borough of Crawley are as follows:
0800 to 1800 Monday to Friday; and
0800 to 1300 on Saturday,
With no noisy construction works taking place on Sundays, Bank Holidays, Public Holidays, Christmas Day, Boxing Day or New Year's Day.
The developer shall employ at all times the best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'. Any exemptions to the above hours must be agreed with the Environmental Health team in advance.
9. The site area lies within the extended boundary for the proposed additional runway to the south, published by Gatwick Airport Ltd (GAL) in July 2014, being land which GAL may require for airport development in the event of permission being granted for an additional runway to the south of the airport. However, in the event of a Government decision in favour of an additional runway to the south, resulting in more detailed design work required for a planning application, this future boundary position might be adjusted, either increasing or reducing the impact on this site.
10. The applicant is encouraged to engage with Manor Royal BID regarding the comments made in their consultation response dated 19 June 2023.
11. The applicant is advised to carefully consider the advice provided by Sussex Police in its consultation response dated 26 April 2023. The applicant should consider the implementation of security measures which can be found at www.securedbydesign.com and also consider the comments made about issues such as CCTV, secure cycle parking and the Parkmark scheme.

1. NPPF Statement

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

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

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

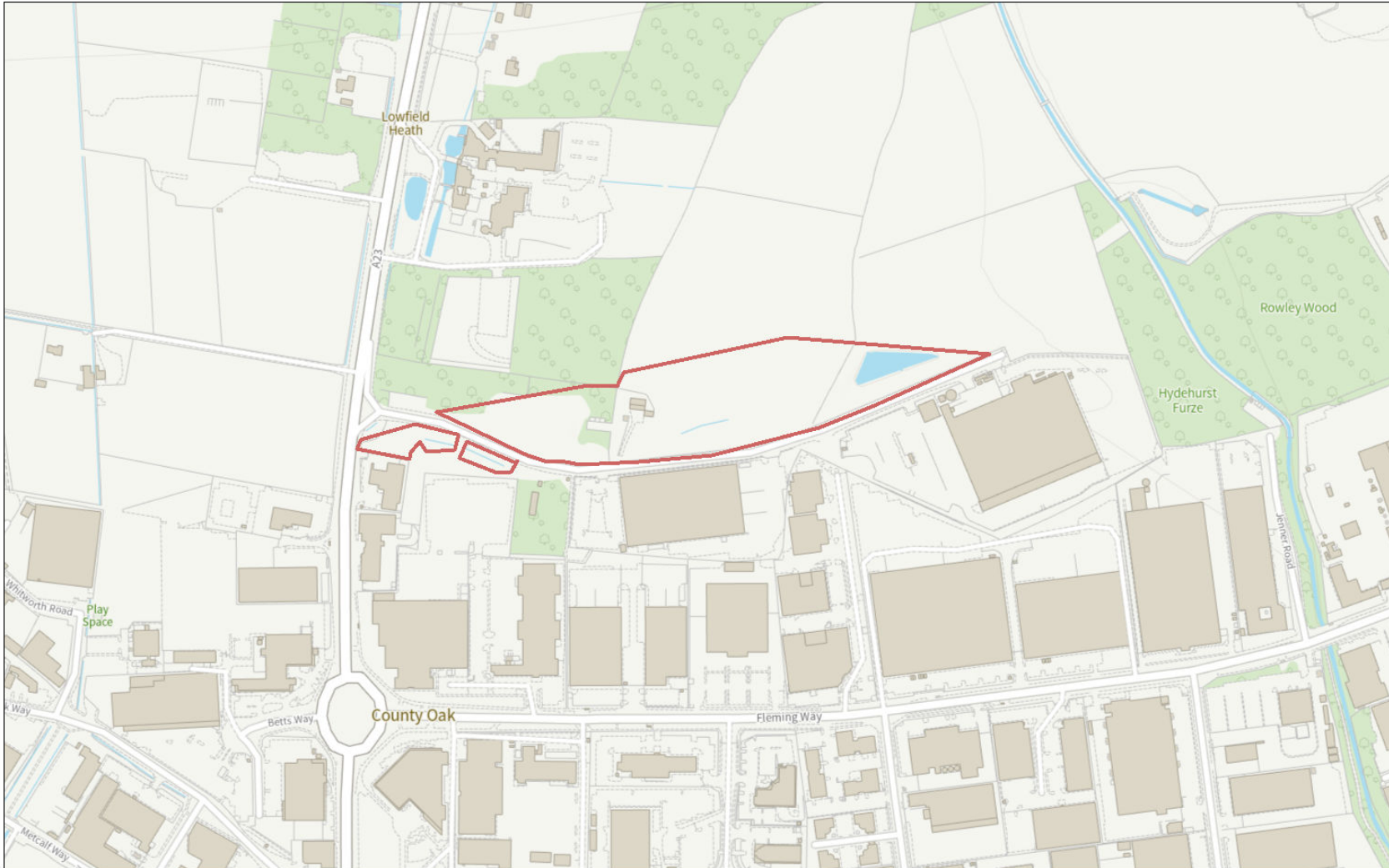


ArcGIS Web Map



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

1:3,307



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 14 November 2023
REPORT NO: PES/440(b)

REFERENCE NO: CR/2023/0220/FUL

LOCATION: [76 GALES DRIVE, THREE BRIDGES, CRAWLEY](#)

WARD: Three Bridges

PROPOSAL: CONSTRUCTION OF A PART TWO STOREY / PART SINGLE STOREY REAR AND SIDE EXTENSION

TARGET DECISION DATE: 6 June 2023

CASE OFFICER: Mr H. Walke

APPLICANT'S NAME: M Amer

AGENT'S NAME:

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
CBC 0001		Site Location Plan
CBC 0002		Block Plan
RDS372001	F	Existing & Proposed Floor Plans
RDS372002	F	Existing & Proposed Elevations
RDS372003	F	Existing & Proposed Roof Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

Not applicable

NEIGHBOUR NOTIFICATIONS:-

Three Bridges Primary School
74 Gales Drive
56 Ridgeside

RESPONSES RECEIVED:-

Original proposal

One objection, from No. 74 Gales Drive, was received to the original proposal, stating the following:

- Extension is large and results in overdevelopment of the site.
- Loss of light/view and dominance.
- Extension is out of keeping and unsympathetically designed.
- Lack of privacy and noise from construction works.

Revised proposal

Following the submission of revised plans and neighbour re-consultation, further objections have been received from four people connected, either as landlord or tenant, with No. 74 Gales Drive. They raise the following objections:

- The revised extension, by reason of its size, depth, width, height and massing, would have an unacceptably adverse impact on the amenities of No. 74, causing overlooking, loss of privacy and a visually overbearing impact.
- No. 76 already extends four metres to the rear of No. 74 and the extension would harm enjoyment of house and garden, in terms of loss of light, overshadowing and loss of views/outlook.

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- Noise disturbance and potential drainage problems.
- Out of keeping with other houses in the area and unneighbourly, layout and siting is inappropriate, unsympathetic overdevelopment of an original house with small footprint and reasonably sized rear garden and visually intrusive.
- Serious impact upon tenants' standard of living at No. 74.

REASON FOR REPORTING TO COMMITTEE:-

The applicant is related to a Crawley Borough Council employee.

THE APPLICATION SITE:-

- 1.1 The application site contains a two storey, detached house located on the south side of Gales Drive within the residential neighbourhood of Three Bridges. The house is finished in a buff yellow brick with a red pantile roof and has two feature chimneys on each side gable. It has white UPVC fenestration and a simple flat roof canopy over the front door. The house is set back from the road to the front by approximately 16 metres and is bounded by a timber fence and hedges/shrubs. It is on a modest plot. The property has no off-street parking.
- 1.2 No. 74 Gales Drive lies to the west and is an end terrace house. The rear wall of No. 76 is set back five metres from the rear wall of No. 74. To the east and south is Three Bridges Primary School, with No. 76 originally built as the caretaker's house for the school. A vehicular access to the school lies to the east of No. 76. Terraced houses in Ridgeside lie to the south-west.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the construction of a part two storey / part single storey rear and side extension.
- 2.2 Planning permission was initially sought for a two-storey rear extension, wrapping round at ground floor level to the east side elevation. The extension would have a stepped rear elevation projecting to a maximum depth centrally of 5.5 metres, reduced to four metres either side. The extension would have a width of 11.5 metres, reducing to 6.5 metres at first floor level. The extension would have a height of 7.2 metres extending to the same ridge height as the existing house. The two storey element would have a hipped roof, with sloping roofs over the ground floor elements. The proposed rear extension would be set away from the shared boundary with No. 74 by 1.3 metres, increasing to 2.8 metres further away from the houses due to the angled boundary. Internally, the proposed extension would form a large open plan kitchen/dining area with toilet at ground floor and an additional bedroom with en-suite at first floor level.
- 2.3 The proposal has been revised since it was submitted. The revisions include:
 - Removing the first floor element of the two storey rear extension on the side adjacent to No. 74;
 - Reducing the extension depth to four metres;
 - Revising the complicated hipped and gabled roof over the proposed extension; and
 - Adding a single storey side element to the proposed extension on the east gable.

PLANNING HISTORY:-

- 3.1 No relevant planning history.

PLANNING POLICY:-

- 4.1 The following policies are relevant to the determination of this application:

National Planning Policy Framework (September 2023)

- Section 2 (Presumption in favour of sustainable development). Paragraph 11 states at the heart of the framework is a presumption in favour of sustainable development.
- Section 12 (Achieving well-designed places) Paragraph 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and

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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)

- 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): New development proposals will be required to respond to and reinforce locally distinctive patterns of development and landscape character, consider flexible development forms that can respond to changing social, technological and economic conditions and provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs.
- Policy CH3 (Normal Requirements of All New Development): states all proposals for development in Crawley will be of a high quality in terms of urban and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, layout, details and materials. Development must provide and retain a good standard of amenity for all nearby and future occupants of land and buildings, and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- Policy ENV6 (Sustainable Design and Construction): All development, including the alteration and extension of existing buildings, should consider how it may achieve the sustainability objectives in relation to carbon.
- Policy IN4 (Car and Cycle Parking Standards): requires proposals to provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the Borough Council's car and cycling standards. These standards are contained within the Urban Design SPD.

Emerging Crawley Borough Local Plan 2024 – 2040

The Local Plan Review 2024-2040 was approved for Regulation 19 consultation by Full Council on 22 February 2023. Public consultation has now concluded, and the Local Plan was submitted for examination on 31 July 2023. Appropriate weight should therefore be given to the following policies:

- 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
- Policy ST2: Car and Cycle Parking Standards

Urban Design Supplementary Planning Document (SPD)

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.'*

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- *'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'.*

Rear Extensions

- *'Rear extensions can significantly impact the amenity of neighbouring dwellings by leading to overshadowing or a dominating appearance, but also have the potential to impact on the amenity of the parent dwelling by reducing the overall size of a rear garden'.*

Avoiding Overshadowing and Dominance

- *'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'.*

Maintaining Garden Depth

- *'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 10.5 metres measured from the extensions rear external wall to the property's rear boundary in length, in order to ensure adequate private outdoor space'.*

Light Angles

- *'A two storey extension should not encroach into an area measured by drawing a 60 degree angle from the nearest edge of a neighbours' window or door aperture'.*

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'.*

The document also includes Crawley's parking standards. The minimum parking standard for a house of this size in this location is 2-3 car parking spaces. The minimum dimensions set out in 'Manual for Streets' for perpendicular car parking spaces are: 2.4 metres in width by 4.8 metres in length.

PLANNING CONSIDERATIONS:-

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

- Design and character of the house and wider area
- Neighbouring amenity
- Parking
- Water neutrality

Design and character of the house and wider area

- 5.2 The site is located on the south side of Gales Drive adjacent to Three Bridges Primary School. The house is set back from the highway kerb to the front by 16 metres. The staggered building line means that No. 76 is set back five metres from the terraced No. 74 to the west. No. 76 is a two storey, detached house of a characteristically simple design with buff yellow bricks with a pantile roof over. It has two chimneys, white UPVC fenestration and a simple flat roofed canopy over the front door. The two storey terrace to the east is constructed with an orange/brown brick.
- 5.3 The NPPF and Local Plan policies CH2 and CH3 seek sympathetic, high-quality designs relating well to their surroundings in terms of scale, height, massing, layout, details and materials. The Urban Design SPD requires an extension to relate appropriately to the house's character and style, dimensions, materials and finishes and the character of the street scene. Brick detailing and fenestration should also contribute to the appearance of a house and any development should reflect the existing house by ensuring that new window apertures are of a matching size and situated in line with existing ones. Furthermore, rear extensions should be kept relatively small as compared to the

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size of the main building and the gardens in which they stand to avoid overshadowing and a dominating appearance.

- 5.4 The proposed part two storey/part single storey rear and side extension would have variations in height and projection from the existing house. It would be a substantial and fairly bulky addition to the house. Due to the varied roof pitches, changes in height, the toilet projection to the rear and the wrap around element to the side, in design terms it would form a fairly unsympathetic and poorly coordinated extension. The extension would have limited public visibility though, primarily being seen from the rear of No. 74 and, partially, in angled views from Gales Drive to the east. It is proposed to use matching brick and tiles to the existing house. Matching materials, including white UPVC windows and fascia/eaves, can be secured by condition. Although the proposal would form a substantial and somewhat disjointed addition to the house, it is not considered that its appearance would cause significant loss of visual amenity to the street scene.
- 5.5 The proposed, due to its substantial footprint, would significantly reduce the rear garden size. The rear garden depth would be only eight metres, compared to the minimum garden length of 10.5 metres sought by the Urban Design SPD. Whilst the depth is a concern, the rear garden is wide at 15 metres and the front garden is sizable. The rear garden area would be around 120 square metres, which exceeds the requirement set out in the Urban Design SPD. On balance, it is considered that refusal could not be sustained on the grounds of garden size.
- 5.6 To conclude, the proposed extension would be a substantial addition to the house and, by virtue of its various disjointed elements, it does not represent high quality design. Despite this, it has been reduced in size and certain design revisions have been made. The design could still be significantly improved, but the applicant has indicated an unwillingness to revise it further. Given the limited public visibility of the proposed extension, on balance, officers do not consider that refusal would be justified on design grounds.

Neighbouring amenity

- 5.7 Policy CH3 (Normal Requirements of All New Development) of the Local Plan states that all proposals for development will be required to provide and retain a good standard of amenity for all nearby and future occupants of the land and buildings. The adopted Urban Design SPD requires two storey developments to be kept relatively small, compared to the main house and the gardens in which they stand, to avoid overshadowing and a dominating appearance.
- 5.8 The neighbouring property most affected by the proposed development would be 74 Gales Drive, which lies to the west of the application site. The proposed rear extension would be positioned approximately 1.3 metres away from the shared boundary with No.74 at its closest point. At ground floor level, it would project four metres beyond the existing house at No. 76, which itself is set back five metres from No. 74. The proposed central toilet would extend out a further 1.5 metres, but would be approximately 6.5 metres from the boundary. At first floor level, the extension would be a further 3.5 metres away from the side boundary with No. 74. The two storey element would have a hipped roof over and, as with the main single storey part, would project out by four metres.
- 5.9 The landlords and tenant of No. 74 object to the proposal for a number of reasons, including overbearing impact, loss of light and outlook, noise disturbance, design and drainage. Officers understand these concerns and, to a degree, share some of them. The proposed extension is sizable and would be clearly visible from No. 74.
- 5.10 The nearest door and window at ground floor level of No. 74 serve a garage. There are central French doors serving a dining area and, to the west, a window serving the living room. Although the house at No. 76 is set back from No. 74 by five metres, its side gable has little impact upon the outlook from the ground floor habitable room windows of No. 74. It does, however, dominate views east from outside the house in the rear garden and causes some loss of light early in the morning.
- 5.11 The proposed extension would project further beyond the rear wall of No. 76 and would be visible over the boundary fence from the rear windows and rear garden of No. 74.

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- 5.12 The Urban Design SPD states that a single storey extension should not encroach into the area measured at 45 degrees from the nearest window and that a two-storey extension should not encroach into the area measured at 60 degrees. The existing house at No. 76 would probably cut a 45 degree from the nearest habitable room window at No. 74 and would certainly cut the 60 degree line. The single storey extension proposed would significantly exceed the 45 degree line. However, the single storey element would be approximately eight metres away from the window at its closest point. The test is designed to address overshadowing and overbearing impact. Officers do not consider that, at eight metres away, the single storey element would cause those impact upon habitable rooms at No. 74. The two storey element would be further away. Applying the 60 degree line test to that part would create minimal additional impact, since the house at No. 76 already cuts into that line. The two storey element would impact on angled views from the rear windows of No. 74 to the south-east. The impact on general outlook would be fairly limited though, due to the angle of view and the existing visibility of school buildings in that direction.
- 5.13 The most significant impact upon No. 74 would probably be upon its rear garden. The extension would be clearly visible from parts of the rear garden and, due to its height, bulk, massing and awkward design, its would have some adverse impact. Early in the morning, the extension could cause limited overshadowing to the southern part of the garden. Its main impact though would be visual. The amendment to set the two storey element further away from the boundary has reduced what would have been an unacceptable overbearing impact. On balance, officers consider that the revised scheme, since it would primarily be visible in the parts of the No. 74's garden furthest from the house and that the garden has a southerly aspect with mature trees to the rear boundary, would not have an adverse visual or overbearing impact sufficient to warrant refusal. There is no evidence to suggest that the extension would cause drainage issues at No. 74. Some noise disturbance would be inevitable during construction, but planning permission cannot be refused on those grounds.
- 5.14 To the east and south of the site is Three Bridges Primary School. Houses in Ridgeside lie to the south. The houses in Ridgeside are a minimum of 28 metres away. This distance exceeds the required 21 metre distance to avoid overlooking. There is also tree screening between the rear of No. 76 and the nearest house in Ridgeside. Consequently, it is not considered that any adverse impact upon houses in Ridgeside would result. The extension would be clearly visible from the school site, particularly the parking area and vehicular access to the west side. However, it would not have any impact upon the operation of the school or cause any significant overbearing, overshadowing or privacy concerns.
- 5.15 The concerns of the owners and occupant of No. 74 are appreciated. On balance though, it is not considered that refusal on the grounds that the proposed two storey rear extension would have an overbearing impact upon No. 74 Gales Drive could be sustained at appeal. No side windows facing No. 74 are proposed and a condition can be attached to ensure that none are added.

Parking

- 5.16 The proposed extension would not increase the number of bedrooms from the existing three. The Council's minimum parking standard for a three bedroom house in this location is 2-3 off street parking spaces. However, the house currently has no off-street parking spaces. Whilst this does not meet the adopted standard, it is as the house was originally built. Given that the proposed development would not create any additional bedrooms, it is considered that the existing on-street parking arrangements are acceptable.

Water neutrality

- 5.17 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.

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CONCLUSIONS:-

- 6.1 In conclusion, the proposed extension would be a substantial addition to the house. Its design is somewhat disjointed and awkward, and the extension would have some adverse impact upon the rear garden of No. 74 Gales Drive. However, on balance, given the limited impact of the extension upon the streetscene and upon habitable rooms at No. 74 Gales Drive, officers consider the proposal to be satisfactory and do not feel that a refusal could be sustained at appeal. The proposal is acceptable in parking terms and the extension would be water neutral. The proposal is therefore considered to comply with policies CH2 and CH3 of the Local Plan, the Urban Design Supplementary Planning Document (2016) and the relevant paragraphs of the NPPF.

RECOMMENDATION RE: CR/2023/0220/FUL:-

PERMIT, subject to the following conditions:

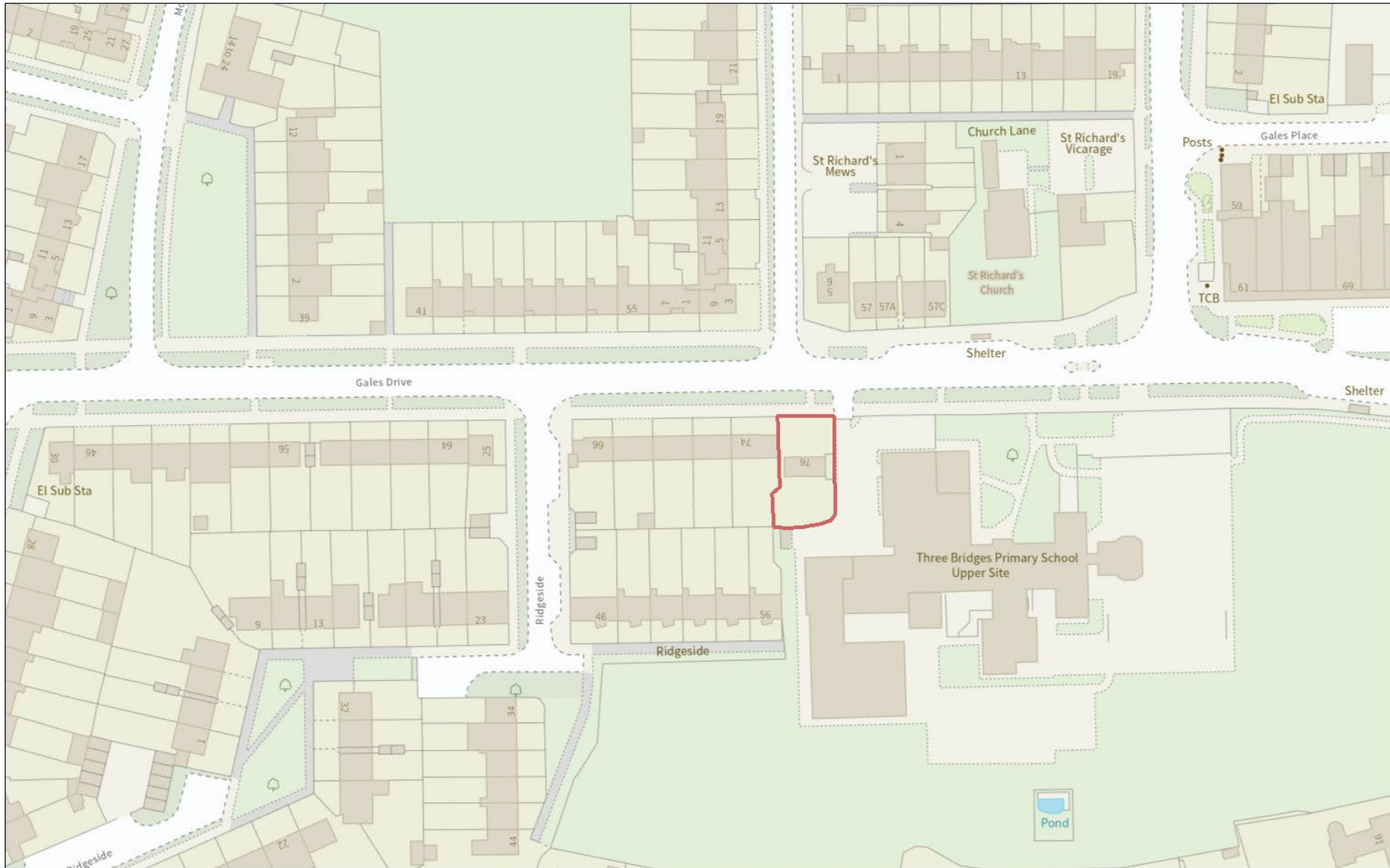
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans 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 roofs of the part single storey/part two storey extension hereby permitted shall match in colour, texture and bonding those of the existing house and the extension shall have windows with white frames and white eaves and fascias.
REASON: In the interests of visual amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No windows shall be constructed in the first floor side elevation of the extension hereby permitted which adjoins the side boundary with No. 74 Gales Drive without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To protect the amenities and privacy of the adjoining house and garden in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

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

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

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



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 14 November 2023
REPORT NO: PES/440(c)

REFERENCE NO: CR/2023/0420/FUL

LOCATION: [UNIT A, 1-3 METCALF WAY, LANGLEY GREEN, CRAWLEY](#)
WARD: Langley Green & Tushmore
PROPOSAL: INSERTION OF 3 NO. NEW WINDOWS COMPLETE WITH ROLLER SHUTTERS TO SOUTH EAST FLANK WALL

TARGET DECISION DATE: 11 September 2023

CASE OFFICER: Miss J Banks

APPLICANT'S NAME: Crawley Borough Council

AGENT'S NAME: Crawley Borough Council

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
CBC 0001		Site Location Plan
1-3MW//P/01		Existing and Proposed Elevations
MW/BW/23/01		Proposed Floor Plan
MW/BR/23/02		Existing Floor Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL Aerodrome Safeguarding – no objections
2. UK Power Networks – no comments received

NEIGHBOUR NOTIFICATIONS:-

Eezehaul Block 2
CBC Amenity Services

RESPONSES RECEIVED:-

None received.

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council application.

THE APPLICATION SITE:-

- 1.1 The application site contains a number of industrial, warehouse buildings situated on Metcalf Way, at the corner with County Oak Way, in the neighbourhood of Langley Green. The application specifically relates to Unit A, a large administration and facilities building at the east of the site, occupied by CBC Neighbourhood Services division.
- 1.2 Unit A is a large, single storey building with a gently sloping, pitched roof. The exterior of the building is predominantly made up of green metal cladding with red fascia boards, with the lower portion of the building, which runs along Metcalf Way, constructed of face block walling. This side elevation is stepped back from Metcalf Way by some 17m and is separated from the carriageway by a narrow highway grass verge and pavement, plus a wider section of land CBC land set to grass with a number of trees.

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- 1.3 The property is in the Sussex North Water Resource Zone supplied by Southern Water.
- 1.4 The application site is also located within the Tilgate Park and Targett Hill (north east) long distance view splays (Local Plan policy CH8).

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the insertion of 3x new red powder coated aluminium windows with roller shutters on the south-east side elevation. The three windows would be of identical size and design, having a height of 0.9m and a width of 1.8m. The windows would be situated approximately 1.1m from ground level, within the face block walling. There would be a 2m distance between the southern and middle windows, and a 1.5m distance between the middle window and the one furthest north.
- 2.2 A roller shutter and box would be installed above each window. These would have a red powder coat finish to match the existing fascia board. The roller shutter boxes would sit above the windows, on the metal cladding. They would be the width of the windows and 0.3m in height.
- 2.3 The windows are to serve an existing office space and a new office room, arising from alterations to the internal layout of the building.

PLANNING HISTORY:-

- 3.1 The site has commercial/industrial history with the most relevant applications being:

CR/1994/0159/COU	CHANGE OF USE FROM B2 TO B8 STORAGE AND DISTRIBUTION	APPROVE
CR/2011/0384/RG3	COU TO MIXED USE SITE COMPRISING DEPOT UNITS A & C (SUI GENERIS) AND UNIT B B2/B8 USE (WAREHOUSE/GENERAL INDUSTRIAL) TO INCLUDE MINOR EXTERNAL & INTERNAL ALTERATIONS, NEW CAR PARK, BIN STORAGE, FUEL, CHEMICAL & MATERIAL BULK STORAGE PROVISIONS. BOUNDARY FENCE ADAPTATIONS/ALTERATIONS & SOLAR INSTALLATION ON ROOF	PERMIT

PLANNING POLICY:-

- 4.1 National Planning Policy Framework (as revised on 5 September 2023)

- 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.

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

The relevant policies include:

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- 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.
- Policy CH8: Important Views. Development proposals should not result in a direct adverse impact or lead to the erosion of these views. Tilgate Park and Target Hill (north east).
- Policy EC2: Economic Growth in Main Employment Areas states that applications within main employment areas will be supported where they provide employment generation.
- Policy EC4: Employment Development and Residential Amenity states that proposals for development should not cause adverse harm to residential areas.

4.3 Draft Crawley Borough Local Plan 2024-2040

The Local Plan Review 2024-2040 was approved for Regulation 19 consultation by Full Council on 22 February 2023. Public consultation has now concluded and the Local Plan was submitted for examination on 31 July. Appropriate weight should therefore be given to the following policies:

- 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
- Policy EC2: Economic Growth in Main Employment Areas
- Policy EC11: Employment Development and Amenity Sensitive Uses

4.4 Supplementary Planning Document (SPD)

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:

Industrial/Commercial Development

- *Consideration should be made of the use of appropriate materials, colours and massing of the development in order to reduce the visual impact and improve the architectural language.*

PLANNING CONSIDERATIONS:-

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

- The impact of the design and appearance on the building, street scene and wider area character
- The impact on the amenities of neighbouring properties.
- Water neutrality.

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

5.2 The character of Metcalf Way is highly industrial/commercial. It is dominated by a variety of warehouses, depots, delivery bays and by the rear elevations of the shops in the County Oak Retail Park.

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- 5.3 The proposed windows and roller shutters would be in keeping with the industrial nature of the street scene and not cause any harm to the visual amenity of the area. The south-east elevation is also set back by approximately 17m from the highway and thus the windows would not be unduly obtrusive in the street scene. The windows will provide light to internal offices. They would not be used as delivery ports or loading bays and thus would not contribute or add to the movement of traffic and goods to and from the street.
- 5.4 The proposed windows would be located on the south-east elevation of the unit, parallel to Metcalf Way. The windows would be relatively small to the whole of this elevation and thus would not be a dominant or discordant addition to the appearance of the building. The window frames, roller shutters and their associated boxes are to have a red powder coat finish to match the existing fascia board. Given the very limited scale and form of the development the new windows would not impact upon the long distance views.

The impact on the amenities of neighbouring properties

- 5.5 The proposed windows would not be located such that they would have an impact on any neighbouring properties. The windows face on to the rear elevations and loading bays of large retail stores which do not have any windows that face on to Unit A. There are therefore no issues by way of neighbour amenities.

Water neutrality

- 5.6 The Local Planning Authority received a Position Statement from Natural England on 14 September 2021. It raised significant concerns about the impact of water abstraction in the Sussex North Water Resource Zone upon the Arun Valley's protected SAC, SPA and Ramsar sites. The proposed windows would serve one existing office and one new office space within the building following a remodelling of the internal layout of the building. They would not serve rooms which have any proposed water connection and the existing toilet and kitchen sink facilities in the building are to remain as existing. The offices will be used by existing staff that are already based in this building and as such the development would not contribute to an increase in water usage at the site. The Local Planning Authority has therefore concluded that the development would be water neutral and is classed as minor development and thus is screened out under the CBC HRA Screening Assessment of 19th November 2021. The installation of the proposed windows 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 three proposed windows with associated roller shutters and boxes are considered to be of an acceptable design and scale and would be in keeping with the character and appearance of the street scene and the existing building. It is not considered that the proposal would have a harmful impact on neighbouring amenities, and it 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 (2023).

RECOMMENDATION RE: CR/2023/0420/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.

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3. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated 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.

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.



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 14 November 2023
REPORT NO: PES/440(d)

REFERENCE NO: CR/2023/0484/FUL

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

WARD: Three Bridges

PROPOSAL: 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.

TARGET DECISION DATE: 17 October 2023

CASE OFFICER: Mrs A. Sanders

APPLICANT'S NAME: Mr Ridley

AGENT'S NAME: Architecture for London

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
PL000		Location Plan
PL600		Window Details
PL311		Diagram Of Materials
PL001 Rev	B	Site Plans
PI002 Rev	B	Existing Floor Plans
PI301 Rev	B	Proposed Floor Plans Loft & Roof
PL300 Rev	C	Proposed Floor Plans Ground Floor & First Floor
PL320 Rev	A	Proposed Street Elevation
PL003 Rev	A	Existing Elevations
PL310 Rev	A	Proposed Elevations

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 – request information on surface water mitigation |
| 5. | CBC Property Division | As 7 Mill Road is owned by CBC and the proposed development will change it from being semi-detached house to an end of terrace house and thereby effect its value, suggest consulting Crawley Homes - <i>Officer note: this is not a planning consideration.</i> |
| 6. | CBC Environmental Health Officer | No objection |
| 7. | Southern Water Ltd | No objection |
| 8. | CBC Energy Efficiency & Sustainability | No objection subject to conditions |
| 9. | Listed Building Officer | No objection |
| 10. | Hazelwick CAAC | No comments received |
| 11. | CBC Parking Services | Advises that parking is problematic and that 77% of parking permits have been issued. |

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NEIGHBOUR NOTIFICATIONS:-

1 to 4, & 7 Millbrook House:
7, 8, 10 & 12 Mill Road
16 to 24 (even nos), 28 & 109 Hazelwick Road,
40 Brantridge Road, Furnace Green
93 The Birches
10 Kimberley Road
18 Summersvere Close
2 Inholmes, North Road.

RESPONSES RECEIVED:-

Ten letters and a petition from four addresses have been received objecting to the proposal on the following grounds:

- Pressure on parking – 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.
- Where would the scaffolding be erected?
- 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 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:-

A Ward Councillor has called the application to Committee, and more than 4 letters of objection have been received contrary to the officer's recommendation 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. It is constructed in a brown stock brick with red brick detailing. The roof is slate and the double glazed windows and door are white upvc. 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 three-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

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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 to 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, and which was introduced to address the parking pressures arising as a result of the area's proximity to Three Bridges Railway Station.

- 1.2 The surrounding area is predominantly residential in character and this section of Mill Road has junctions with Hazelwick Road to the north and New Street to the south. This part of Mill Road contains 5 dwellings: comprising this pair of semi-detached houses on the east side of the road 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 dwellings. The northern neighbour in Hazelwick Road (Millbrook House) is sited perpendicular to the site and faces the side elevation of the applicants house. The northern side of the site also faces the rear gardens of other properties in Hazelwick Road. The rear boundary is with No.18 Hazelwick Road to the east.
- 1.3 The application site is located within the Hazelwick Road Conservation Area. The site is located predominantly within Flood Zone 1 which has a low probability of flooding but with a part of the south east corner of the site within Flood Zone 2 which has a medium probability of flooding.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of a two storey, three bedroomed, attached house, following the demolition of the existing garage on the north side of No.9 Mill Road. This would create a terrace of three houses. Permission is also sought for the erection of a single storey side/rear extension at No.9 Mill Road.
- 2.2 The proposal is very similar to the two storey side extension to 9 Mill Road (CR/2020/0054/FUL) permitted in 2020, in that the size, height and external appearance of the scheme is the same, but rather than being an extension to the existing semi-detached house, a separate dwelling would be created. The internal layout of the resultant two houses reflects that difference.
- 2.3 The proposed new house would be positioned in line with the front elevation of the existing adjacent house No.9 Mill Road and would be 13.9m in length (front to rear). The width of the proposed new house would be 4.6m, with a proposed gap between the side elevation and the retained fence boundary to the north of 0.8m at the front, narrowing to a 0.3m wide gap at the rear. It would have a pitched roof and chimney stack to match the roof of No.9 Mill Road. The two-storey rear projection of the proposed house would extend 3m from the rear elevation and would be 2.8m wide with a gable end roof with eaves levels to match the eaves of the main roof of the existing house. The ridge height of the rear projection would be set 2m below the ridge of the main roof. 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 Nos.9 and 7 Mill Road. An obscure glazed window is proposed within the north side elevation at the first floor level to serve the stairs.
- 2.4 The width of No.9 Mill Road's existing front elevation would be increased from 4.1m to 4.3m. Internally the new dwelling would be wider than the retained dwelling with the new dwelling measuring 4.9m and the retained dwelling measuring 4m which is the same as the previous proposals on the site. To the rear, the existing kitchen and bathroom would be replaced with a rear extension of the same length as existing. The resultant single storey projection would extend across the full width of the house and measure 3.5m in height compared with the existing single storey projections 2.6m high flat roof. The extension proposed for no.9 Mill Road would mirror the rear of the proposed house with bi-fold doors in the rear elevation and a 2.8m x 1.2m rooflights located either side of the boundary in the flat roofs of both the existing house as extended and the new proposed house.
- 2.5 The rear garden of the proposed house and that of No.9 Mill Road would measure over 15m in length. The front garden would include a concrete pathway directly from the highway to the front door and would be enclosed with a low level brick wall with capped brick piers and railings. It is also proposed to install the grey water recycling tanks underground in the front gardens of the resultant two houses.

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- 2.6 Internally the proposed house would contain a wc, and open plan living, kitchen and dining room area at the ground floor level, three (one double and two single) bedrooms at first floor and a bathroom and storage/study area in the loft space. Number 9 Mill Road would be reconfigured to create an open plan kitchen dining area with shower/utility room and living room on the ground floor. On the first floor, two of the existing bedrooms are to be retained, with the original third bedroom being changed to an ensuite bathroom, thus reducing the property from a three bedroom to a two double bedroom house.
- 2.7 The applicant has submitted the following documents with the application:
- Design and Access & Heritage Statement
 - Affordable Housing Statement
 - Building Height Information
 - Sustainability/Energy Efficiency Statement
 - Schedule of materials
 - Flood Mapping
 - Water Neutrality Statement
- 2.8 Additional information has been submitted in regard to the proposed grey water harvesting tanks to the front of each property and how these would operate.

PLANNING HISTORY:-

- 3.1 CR/2023/0252/FUL
Erection of two storey side and rear extension and single storey rear extension (re-submission of application CR/2020/0054/FUL).
- Refused for the following reasons:
1. The development by reason of its lack of parking would not meet the operational needs of the proposed resultant 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.
 2. The proposed extension, by reason of its proximity to No. 12 Mill Road and the limited window to window distance, would cause a detrimental impact on neighbouring amenity contrary to Policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 3.2 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 refused by the Planning Committee on 12th July 2022 for the following reasons:

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.
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.

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This application was appealed with the inspector disagreeing with the reason for refusal relating to the lack of parking but upheld the reason relating to the lack of a legal agreement as follows:

The Highway Authority has indicated that it does not anticipate the additional on-street parking demand that would arise from the development would have an adverse effect on highway safety. I have no doubt that the Highway Authority would have been mindful of local on-street parking pressures, the extent to which any overspill parking might lead to poorly parked vehicles in congested streets and the extent to which this could raise highway safety concerns.

I accept that one consequence of additional demand for on street parking outside of the restricted hours is that existing and future residents of the area would to some extent be inconvenienced by an increased competition for the available spaces. This would manifest itself in terms of taking longer to find a parking space, or residents having to park further away from their homes. Whilst I acknowledge that this would be an inconvenience, there is not sufficient evidence to indicate that this would amount to an unacceptable impact on their living conditions.

Given my reasoning above, I conclude on this main issue that the proposed development does not need to provide on-site parking. Although I am unable to find that the scheme accords with the CBLP in terms of compliance with the SPD, I am satisfied that the proposal can be justified given this breach would not be unduly harmful.

The provision of a new dwelling that is well located to facilities and services would attract positive weight. I have found the absence of on-site parking would not cause harm, but this would be a neutral factor in the overall balance. However, any positive weight in support of the scheme would not be sufficient to outweigh the harm that the proposal would have on the provision of affordable housing in the Borough.

3.3 CR/2020/0054/FUL

Erection of two storey side and rear extension and single storey rear extension
Permitted - unimplemented and permission now expired.

3.4 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 for the following reasons:

1. The erection of a new residential dwelling within Flood Zone 3a, which has high probability of flooding, is unacceptable as the applicant has not undertaken a risk based approach to avoid, where possible, flood risk to people and property. It is in an inappropriate location being a vulnerable use in an area of high flood risk, it would not provide wider sustainability benefits to the community that outweigh flood risk, be safe for its lifetime or be safe for its occupants and would increase flood risk elsewhere causing greater flood risk to other people and property. The proposal fails to satisfy the sequential and exception tests and is therefore contrary to Local Plan Policy ENV8, Section 14 of the National Planning Policy Framework and para 023 and 033 of the Planning Practice Guidance.
2. An agreement is not in place to ensure that the appropriate contributions for affordable housing are secured. The development is therefore contrary to policies H4 and IN1 of the Crawley Borough Local Plan 2015-2030 and Supplementary Planning Guidance Document 'Affordable Housing'.

3.5 CR/2017/1049/FUL

Erection Of 1 X Attached Four Bed Dwelling in side Garden Space. Withdrawn.

3.6 CR/2017/1054/FUL

Erection of Single Storey Side and Rear Extension and Loft Conversion Involving Erection of Rear Dormer and Internal Alterations. Withdrawn.

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PLANNING POLICY:-

National Planning Policy Framework (September 2023)

- 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 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 house-holder 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.

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.

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- 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 CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents.
- Policy CH6: (Tree Planting and Replacement Standards) requires at least one new tree for each new dwelling.
- 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 H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less, a commuted sum towards off-site affordable housing provision will be sought.
- 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.
- Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new ‘optional’ water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- Policy ENV 12: (Air Quality) states that proposals that do not result in a material impact on air quality will normally be permitted.
- Policy IN1 (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.

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- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.
- Policy 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 for Regulation 19 consultation by Full Council on 22 February 2023. Public consultation has now concluded, and the Local Plan was submitted for examination on 31 July 2023. Appropriate weight should therefore be given to the following policies:

Policy SD1: Presumption in Favour of Sustainable Development
Policy SD2: Enabling Healthy Lifestyles and Wellbeing
Policy CL1: Neighbourhood Principle
Policy CL2: Making Successful Places: Principles of Good Urban Design
Policy DD1: Normal Requirements of All New Development
Policy DD2: Inclusive Design
Policy DD3: Standards for All New Dwellings (including conversion)
Policy HA1: Heritage Assets
Policy HA2: Conservation Areas
Policy IN1: Infrastructure Provision
Policy IN3 Supporting High Quality Communications
Policy H1: Housing Provision
Policy H3: Housing Typologies
Policy H3b: Densification, Infill Opportunities and Small Sites
Policy H4: Future Housing Mix
Policy SDC1: Sustainable Design and Construction
Policy SDC3: Tackling Water Stress
Policy EP1: Development and Flood Risk
Policy EP4: Development and Noise
Policy ST1: Development and Requirements for Sustainable Transport
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:

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).

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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 considerations in the determination of this application are:

- Principle of the development
- Impact on the character and appearance of the Conservation Area
- Impact on the amenities of neighbouring occupiers
- The impact upon the highway, parking and the operational requirements of the development
- The resultant living conditions of future occupiers
- Flood risk
- Sustainability
- Affordable housing, CIL and other requirements
- Water neutrality.

Principle of the development

- 5.2 The site lies within the built-up area and in a predominantly residential area so, in general terms, development for residential purposes is acceptable in principle.

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

- 5.3 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.
- 5.4 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 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:
- 5.5 Hazelwick Road Conservation Area is predominantly residential in nature. Buildings take the form of a mix of two storey semi-detached dwellings and terraced railway cottages. Terraces are predominantly of three or four houses. There is a strong uniformity to building lines with small set-backs from the highway, low level fences/boundary walls or planting which create a townscape feature of value to the Conservation Area. The proposal would continue the scale, massing and general form of the existing semi-detached dwellings No.7 and No.9 Mill Road to the south by mirroring those properties in terms of building width, height and length, The roof pitch and main ridge and eaves height would also match the two neighbouring houses to the south. The proposal would continue the building line of the existing houses and siting would result in a terrace of three houses. This would mirror the terrace of three properties directly opposite the site on the west side of the road and

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therefore the resultant design is considered consistent with the overall character of the Conservation Area and in keeping with the existing street-scene. The external design is also the same as that previously approved under CR/2020/0054/FUL for the extension scheme.

- 5.6 The existing two houses have been constructed from local stock brick with detailing including red brick detailing around the windows and doors and interlocking quoins and slate roofs. . The proposed new house would replicate the detailing from No.9 Mill Road and the surrounding properties by matching the existing brick and roof materials. The detailing of the quoins and around windows/doors would also match the existing houses. A condition is recommended to any permission to ensure the exact specification of these materials and the detailing is controlled.
- 5.7 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 existing dwellings chimney stack which also includes the characteristic red brick detailing. Any permission would include a condition to ensure the materials and detailing of the chimney are in keeping with the character of the Hazelwick Road Conservation Area.
- 5.8 Recessed doorways, are a feature of a number of houses in the area and the proposal includes a recessed doorway and brick detailing which is in keeping with properties within the Conservation Area. A painted timber 4 panel front door with fan light window is proposed to the front elevation of the new house which would match the traditional entrances that are a characteristic of some houses in the Conservation Area.
- 5.9 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 match No.9 Mill Road reflecting the character and appearance of the Conservation Area. A condition is recommended to require details of the window joinery to be approved and then implemented. 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.
- 5.10 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 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 is considered to be a more traditional form of boundary treatment that would be in keeping with the character of the Conservation Area and an improvement on the existing pierced concrete wall.
- 5.11 It is considered that the proposals would therefore be of an acceptable siting, scale, design and materials, and would not harm the appearance of the dwelling or the street-scene of Mill Road. This is confirmed by the Planning Inspector whom raised no comments regarding the design and appearance of the proposed development. It is therefore considered that the development would be in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan (2015-2030). It is also 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 the Conservation Area. The proposal would not result in harm to this heritage asset. The proposal would therefore also be in accordance with Local Plan Policy CH13: Conservation Areas.

The impact upon neighbouring properties and occupants' amenities

- 5.12 This application would maintain a 0.7m gap between the north side elevation of the new house and the fence boundary to the rear of Millbrook House. To the north of the fence is the parking area and patio amenity area for the flats in Millbrook House. Millbrook House itself is approximately 20m from the proposed north side elevation of the proposed new house. Approximately 1m of the length of the single storey rear extension would be alongside the rear garden of No.24 Hazelwick Road. An obscure glazed landing window is proposed on the north side elevation at the first floor level facing Millbrook House. It is considered that the 20m proposed distance between the north side elevation and facing properties, (the Urban Design Guidance recommends a distance of at least 10.5m between

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a blank two storey elevation and facing habitable windows), and that the only window would be obscure glazed and fixed shut to 1.7m from ground level is sufficient to prevent the development having a harmful impact upon the amenities of occupiers of Millbrook House and No.24 Hazelwick Road.

- 5.13 To the east of the site is the rear garden of No.18 Hazelwick Road. This house is located to the north east of the application site and due to the angle there would be no direct window to window relationship. There would be approximately 25m between the 1st floor of the proposed new house and the closest part of this neighbouring house. This relationship would comply with the Urban Design SPD that sets out that a distance of 21m between facing 1st floor windows is acceptable to prevent harmful overlooking. This neighbouring house has a garden that is approximately 31m in length north to south and the rear facing 1st floor window would therefore only directly overlook the very rear of its garden over 17m away. It is therefore considered that in the and an adequate length of garden would be maintained, the proposal would not cause harm to the amenity of the occupants of this property.
- 5.14 To the south of the site is No.7 Mill Road which is attached to No.9 Mill Road. The proposed single storey extension to the existing house, No.9, would have the same projection to the rear as the neighbours existing single storey rear extension. The proposed extension would have a flat roof and would be 3.5 metres in height. It is not considered that this increase in height of 0.9m over the existing single storey projection would impact on the amenity of the occupiers of No.7 Mill Road in relation to dominance or overshadowing or a loss of privacy, due to the neighbours extension being immediate adjacent to the proposal and screening it from most views from the south.
- 5.15 The front elevation of the proposed house would be in line with the front elevation of No.9 Mill Road and would be located opposite No.12 Mill Road, on the other (west) side of the street. The gap between the front elevation of the new dwelling and the front elevation of 12 Mill Road would be 9 metres and would include the intervening public highway. The most recent refusal at this site, application CR/2023/0252/FUL, cited the following reason for refusal:
- The proposed extension, by reason of its proximity to No. 12 Mill Road and the limited window to window distance, would cause a detrimental impact on neighbouring amenity contrary to Policy CH3 of the Crawley Borough Local Plan 2015-2030.*
- 5.16 The relationship between the new dwelling and No.12 would be the same as the existing properties within this stretch of Mill Road with No's 9 and 7 facing onto No's 8, 10 and 12 Mill Road with the same 9m separation distance. Whilst currently there isn't a property directly facing No. 12 the introduction of a the new house would not result in the same impact that which already exists as a result of the existing windows at No 9 which face No 12 separated from each other by a public highway. This relationship is not unusual within the locality with properties within New Street also having a similar relationship to facing neighbouring houses on the opposite side of the road. Further the recent appeal decision did not raise any concerns with this relationship. It is therefore considered that as the relationship would be the same as the existing houses facing each other along Mill Road, the proposal would not cause a harmful loss of light, outlook or privacy.
- 5.17 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

- 5.18 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.

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- 5.19 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 has advised on the previous applications for the new dwelling (ref: CR/2021/0844/FUL) and the most recent application for a two-storey side extension (ref: CR/2023/0252/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 new dwelling would result in the removal of the off-street parking provision (2 spaces) for the existing property. The new dwelling would have 3 bedrooms and the retained dwelling 2 bedrooms and so neither would meet the requirement for a minimum of 2- 3 off street spaces for a 3+ bedroom dwelling at this location.
- 5.20 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.
- 5.21 WSCC Highways (Local Highway Authority, LHA) comment that:
- 'The LHA previously provided consultation advice for this site for application CR/2023/0252/FUL, raising no highway safety concerns. They advise that the existing vehicular access is to be closed off as a result of the siting of the proposed dwelling. The LHA does not anticipate that the proposed development would give rise to a significant material intensification of movements to or from the site. An existing garage with hardstanding will be lost as part of the proposals, and a nil car parking provision is proposed. Under Crawley Parking Standards, the LHA would expect both the existing and proposed dwellings to provide four car parking spaces in total. As such, vehicular parking would have to be accommodated on-street. Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be detrimental to highway safety.*
- The LHA does not anticipate that the proposed nil car parking provision would lead to a highway safety concern or parking capacity issue in this location. However, the LPA are advised to consider the potential impacts on on-street parking from an amenity point of view. Weight is given to the fact the site is situated in a sustainable location within walking/cycle distance of local services, amenities, and public transport connections. The LHA would request that secure cycle parking provision for at least two bicycles be provided for the proposed dwelling in accordance with Crawley Parking Standards.'*
- 5.22 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.
- 5.23 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 77% 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.
- 5.24 The representations received state that there are a lack of parking spaces in the evening and Sundays (when the CPZ is not in operation). 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.

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- 5.25 Before the determination of the planning application CR/2021/0844/FUL for a new dwelling at this site. 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
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

- 5.26 Whilst the survey was undertaken last year, it is not considered that the situation would have materially changed in the 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.
- 5.27 Further the LPA are now in receipt of the Planning Inspectorates Appeal Decision for application CR/2021/0844/FUL for a new dwelling which is identical to this current submission. The Planning Inspector stated the following:

Mill Road is a one-way road with no pavements. It is located close to Three Bridges station and therefore the area is subject to a controlled parking regime during the day. Residents have indicated that there are on-going problems with on-street parking capacity in Mill Road and the surrounding area. Residents are concerned with the effect this would have on their ability to park and undertake their normal activities. The Council is principally concerned that any additional demand would impede the operation and safety of the highway although it also acknowledges that it would impede existing residents' ability to park their cars.

The appellant has not undertaken a parking stress survey. Instead, the appellant relies on the officer report and previous approvals for extensions to the existing dwelling which accepted an absence of parking on the site, albeit for one large dwelling as opposed to two separate dwellings.

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Officers undertook four site visits which indicated that there was spare capacity on street during the day when the parking restrictions were applicable. My own site visit was also during the day when the restrictions were in operation. Although my visit is only a snapshot, my observations were similar to those of officers in that there appeared to be sufficient on-street parking capacity near the appeal site to accommodate the likely demand from the development.

An evening site visit by officers was said to also show on-street capacity. However, I am not aware that this visit was during the night (00:30 to 05:30) when parking demand is reasonably expected to be at its highest and when a parking stress survey would ordinarily take place.

Substantive evidence is therefore limited. However, the officer report does note that 80% of permits for this zone have been issued. This suggests that there is scope for additional permits to be issued and thus capacity for additional cars to be parked during the restricted hours. This broadly tallies with both the officer observations and my own.

I do not doubt from the representations made by interested parties that there are instances when levels of demand make finding available on-street parking difficult. However, in light of the foregoing, this is likely to be most apparent outside of the restricted hours.

Importantly, the Highway Authority has indicated that it does not anticipate the additional on-street parking demand that would arise from the development would have an adverse effect on highway safety. I have no doubt that the Highway Authority would have been mindful of local on-street parking pressures, the extent to which any overspill parking might lead to poorly parked vehicles in congested streets and the extent to which this could raise highway safety concerns.

I accept that one consequence of additional demand for on street parking outside of the restricted hours is that existing and future residents of the area would to some extent be inconvenienced by an increased competition for the available spaces. This would manifest itself in terms of taking longer to find a parking space, or residents having to park further away from their homes. Whilst I acknowledge that this would be an inconvenience, there is not sufficient evidence to indicate that this would amount to an unacceptable impact on their living conditions.

Given my reasoning above, I conclude on this main issue that the proposed development does not need to provide on-site parking. Although I am unable to find that the scheme accords with the CBLP in terms of compliance with the SPD, I am satisfied that the proposal can be justified given this breach would not be unduly harmful. On balance, I find that the proposal accords with the overall objectives of Policy CH3 of the CBLP insofar as it allows the development to meet the requirements for its safe and proper use and that the environment of the existing residents would be sufficiently protected.

- 5.28 It is therefore considered taking into account all the available evidence and the Inspectors appeal decision with regard to CR/2021/0844/FUL that although there would be a shortfall of 4 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.
- 5.29 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 its deemed unsafe, this would be enforced by Sussex Police. The applicant could however apply for a license to suspend the Traffic Regulation 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.
- 5.30 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 in Three Bridges, where it is not unusual for dwellings to have no off-site parking. The proposal could also provide adequate cycle parking to facilitate sustainable travel for

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residents. It cannot therefore be substantiated that a shortfall of 4 car parking spaces would result in highway safety issues and it is not considered there is a justification for refusal on highways grounds, a point that has recently been further reiterated by the recent appeal decision. It is therefore considered that the development comprising a new dwelling would be in accordance with Policy CH3 of the Local Plan in this regard.

Living conditions of future occupiers

- 5.31 Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, which is based on the Nationally Described Space Standards (NDSS). According to Policy CH5, a three storey 3 bedroom dwelling for 4 persons should provide a minimum internal floorspace of 90 sqm. The internal floorspace of this dwelling would be 104sqm which would meet the standard. The floor to ceiling height of the main living area would be 2.6m which would meet the 2.3m standard.
- 5.32 The proposed double bedroom would have a floor area of 17sqm and a width of 4.5m which would meet the 11.5sqm space standard and 2.75m width requirements of the NDSS and Local Plan and Policy CH5. Bedroom 2 (single bedroom) would have a floor area of 9sqm and width of 2.6m and bedroom 3 (single bedroom) has a floor area of 7.9sqm and a width of 2.3m. Both single bedrooms meet also the 7.5sqm space standard and 2.1m width standards of the NDSS and policy CH5. Each habitable room would also be provided with a window that would provide occupants with an outlook and daylight. The proposed dwelling would therefore comply with the minimum National Space Standards, resulting in acceptable living accommodation being provided for future residents.
- 5.33 The Urban Design SPD (adopted October 2016) includes Crawley's outdoor amenity space standards. For a dwelling with three bedrooms space for 4 occupants the external private amenity space standard is 75sqm. The proposed house would have 80sqm based on the block plan of external private amenity space and would therefore comply with the standard, it would be acceptable. The resulting amenity space at No.9 Mill Road measures 66sqm based on the block plan and this would be below the below standard by approximately 9sqm. This is a relatively small shortfall in the outdoor amenity space provision for this house. It is also proposed to remove permitted development rights from both the existing house as extended and the proposed new dwelling, to restrict additional developments in the gardens. It is therefore considered on balance that both properties would be provided an acceptable amount of external private amenity space.
- 5.34 It should be noted that no refuse/recycling storage details have been submitted as part of the application, although there would be space in the small front gardens for these. As this has not been specified on the submitted plans, any permission should require a condition to address this.

Flood Risk

- 5.35 As noted in the earlier reports to committee, the boundaries of the flood risk zones cut across the application site, with most of the application site being within Flood Zone 1 and a small part in Flood Zone 2. The Flood Risk map in detail, shows that the front of the existing dwelling is in Flood Zone 1, with part of the rear portion of the existing house and its retained rear garden being in Flood Zone 2. The northern half of the application site where the new house would be sited would be within Flood Zone 1, although a small part of the south-east corner of this house and most of the rear garden is within Flood Zone 2.
- 5.36 The single storey rear extension to 9 Mill Road would be classed as a 'minor development' as it would measure less than 250sqm. There is no objection in principle to this type of development and the Environment Agency's Standing Advice would need to be applied. This states that finished floor levels need to be 300mm above the average ground level for the site and extra flood resistance and resilience measures would need to be provided. The plans show that the FFL of the extension would be the same as the existing dwelling which would be +69.8m which would be 300mm higher than the external ground level at the rear of the existing dwelling. In terms of flood resilience measures a condition is recommended to ensure that these measures are provided before the dwelling is occupied. This approach was accepted in regard to the application for the previous applications on the site.

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- 5.37 In regard to the new house the majority of the property would be located within Flood Zone 1, with only a small portion of the single storey rear element within Flood Zone 2. This would cover less than 8% of the ground floor area of the building and would be used as a kitchen / dining room. In these circumstances it is considered that the development would be classed as appropriate and therefore the sequential test has been followed by steering new development to FZ1 and FZ2. The finished floor level would also match that of the existing property at 9 Mill Road.
- 5.38 Crawley Borough Council's Drainage Engineer advised on the previous application that the ground floors of the new dwelling and the extension that lie within Flood Zone 2 should not be used for sleeping. The new finished floor level (FFL) should not be higher than the existing FFL (+69.8m), but rather the property should be allowed to flood (so that it does not take area out of the flood plain) while flood resilience measures and materials should be used for construction. A condition is recommended to ensure flood resilience measures and the floor levels are implemented in accordance with these requirements. A condition is also recommended to show how surface water runoff will be mitigated as well as confirmation from Thames Water that they have capacity and are willing to take in increase in surface water runoff as a result of the development.
- 5.39 It is considered that the proposal would not result in an adverse impact in regard to flood risk or drainage, subject to conditions and as such would accord with development plan policy in this regard.

Sustainability

- 5.40 Policies ENV6 and ENV9 and the Planning & Climate Change SPD are relevant to this proposal from a climate change mitigation & adaptation perspective. Policy ENV6 requires the submission of a Sustainability Statement responding to the six 'sustainability objectives' set out in the policy. It requires that new homes meet the on-site energy performance standards of Building Regulations, and any subsequent increased requirements. Policy ENV9 requires that new dwellings meet the 'optional' Building Regulations water efficiency limit of 110 litres per person per day. The Planning & Climate Change SPD provides further guidance as to how applications can comply with these requirements.
- 5.41 The proposal is supported by a Sustainability/Energy Efficiency Statement. This identifies the policies outlined above and sets out briefly and in qualitative terms how the proposal seeks to respond to them. It states that the development will meet baseline national Building Regulations standards, although it is not clear by how much, if at all, it would exceed them. Other measures are identified, including the specification of energy efficient lighting and white goods, the upgrading of the heating system of the existing building, smart energy metering, aspirations to limit waste and the loss of embodied carbon as part of the construction process, and the intention to adhere to the 110 litres/person/day water efficiency requirement.
- 5.42 The above measures effectively meet the minimum requirements of the identified Local Plan policies for a development of this scale, and are therefore considered acceptable from the Local Plan perspective subject to the imposition of conditions relating to the implementation of the measures identified in the Sustainability/Energy Efficiency Statement.

Affordable housing, CIL and other requirements

- 5.43 Crawley Borough Local Plan Policy H4, in respect of affordable housing, states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less, a commuted sum towards off-site affordable housing provision will be sought. The Affordable Housing SPD, sets out how financial contributions for the creation of new dwellings on sites of 5 or less will be secured in accordance with policy H4. The policy also states that these targets will apply to all residential developments unless evidence can be provided to show that the site cannot support these requirements from a viability perspective.
- 5.44 Using the affordable housing calculator within the Affordable Housing SPD, the applicant would be required to pay a contribution of £12,950 based on an internal floor area of 111sqm. During the course of the application, the applicant has agreed to provide a commuted sum of £12,950 towards affordable housing provision elsewhere, which would be secured by a S106 legal agreement. As such the proposal would be in accordance with Policy H4 of the Crawley Borough Local Plan (2015-2030).

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- 5.45 This application would be liable for the Community Infrastructure Levy (CIL) which came into effect on 17th August 2016. The final CIL charge will be communicated to the applicant via the development's Liability Notice.
- 5.46 Policy CH6 requires a new tree to be planted for each new dwelling. This can be accommodated on the site as part of an agreed landscaping scheme, and can be secured by a condition.

Water Neutrality

- 5.47 Crawley is situated in an area of serious water stress, as identified by the Environment Agency. The application site is supplied with water by Southern Water from its Sussex North Water Resource Zone (SNWRZ). This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.
- 5.48 On 14 September 2021, the Council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the SNWRZ is not having an impact on the Arun Valley sites. It advises that developments within this zone must not add to this impact.
- 5.49 Under the Conservation of Habitats and Species Regulations 2017, Crawley Borough Council is the Competent Authority and has a duty to consider the impact of development on protected species and habitats. These Regulations and the Natural England Position Statement require, as a matter of law, applications for planning permission in the SNWRZ to demonstrate that they do not increase pressure on water resources and that they are “*water neutral*.” As a consequence, all applications that may affect water consumption need to be ‘screened’ to identify whether the proposed development, individually or in combination with other projects, will result in a significant effect on the Arun Valley sites.
- 5.50 This application is not exempt under the Screening process and therefore the applicants are required to submit evidence so that a judgement can be made by CBC as to whether there could be any potential significant impacts of the development on the Arun Valley sites by way of an ‘Appropriate Assessment’. In accordance with the Natural England Position Statement to meet this test the development must demonstrate that it is water neutral. The definition of water neutrality is the use of water in the supply area before the development being the same or lower after the development is in place.
- 5.51 The proposed development includes the refurbishment of the existing dwelling and the construction of a new dwelling. The submitted water neutrality statement was previously independently assessed for CBC by specialist consultant who has advised that on the basis of the information provided it has been shown beyond reasonable scientific doubt that the development would be water neutral subject to the water saving measures proposed for both the existing and new houses. The refurbishment of the existing dwelling enables full replacement of the existing water fixtures and fittings, and will result in a reduction in bedrooms to two, whilst the proposed new dwelling will have three bedrooms. An occupancy rate of four is assumed in each dwelling which is reasonable, especially given the proposed fixtures and fittings will be the same in each dwelling. The occupancy rate of 4 for the existing houses has been assumed in the existing water use calculation.
- 5.52 The applicant proposes to install water efficient fittings and has provided a list of the products and specifications. The water demand is calculated using the Building Regs Part G methodology. The product specifications were checked, and all fittings performed overall at or better than the consumption rates used in the calculation and the calculation is therefore precautionary. Additional water savings will be achieved by installing grey water recycling for toilet flushing only which would be in the form of a 277-litre tank installed underground in the front garden. The required use for toilets is approximately 25% of the grey water that would be available and therefore it is reasonable to assume that this would be acceptable. The robust calculated water demand for the two dwellings, with eight persons, is 584 litres per day.
- 5.53 The Council consultants in responding to the previous application (ref. [CR/2021/0844/FUL](#)), assessed the water calculations and other details submitted, and agreed with the assumptions and conclusions

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that the development would be water neutral. There has been no material change to the water neutrality issues since the previous application and it is therefore considered that, provided the development is implemented in accordance with the evidence provided, by installing all the specified fixtures and fittings and use of grey water recycling, the development would be water neutral. A S106 legal agreement is required to ensure the measures proposed by the applicant which relate to the 2 properties involved are fully implemented before the new dwelling is occupied. It will also require the measures to be secured for the lifetime of the development. The S106 agreement would ensure that the obligations apply to the owner(s) of the site and any successors in title, when the site is sold on.

- 5.54 Based on these findings an Appropriate Assessment document was sent to Natural England for consideration (as required under Habitat Regulations). Natural England advises that it has no objection subject to the appropriate mitigation measures being secured. It advises that without appropriate mitigation the application would have an adverse effect on the integrity of Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. The measures will be secured via the S106 agreement which is currently being prepared. Subject to this, the proposal would be water neutral.

CONCLUSIONS:-

- 6.1 The proposal has been designed so that it would be in keeping with the scale, massing, form and character of the existing site and surrounding area. The proposal is also considered to preserve the character and appearance of the Conservation Area. The proposal is not considered to adversely impact upon residential amenity in terms of loss of light, loss of privacy or an overbearing impact. In terms of parking, whilst the loss of two/three parking spaces is acknowledged, this is a sustainable location, where there is capacity on the nearby roads to accommodate further vehicles associated with the existing and the new dwelling. The loss of these spaces would not therefore make the situation materially worse for the residents and there would be no highway safety/capacity issues as a result of the loss of spaces. It is considered that the proposal for a new dwelling would not result in an adverse impact in regard to Flood Risk. The applicant has also demonstrated that the proposal would be water neutral, and an affordable housing contribution is to be secured by legal agreement.
- 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 Guidance notes and the NPPF (2023). It is therefore recommended to grant planning permission subject to the conclusion of the s106 agreement and subject to the imposition of relevant conditions.

RECOMMENDATION RE: CR/2023/0484/FUL:-

Delegate the decision to permit the application to the Head of Economy and Planning, subject to the conclusion of a Section 106 legal agreement to secure the affordable housing contribution and the water neutrality mitigation measures, and the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. 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 18th August 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.

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4. 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.
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 measures detailed in the submitted Sustainability/Energy Efficiency Statement dated 11 November 2021 (with planning portal reference updated 18 August 2023) have been implemented, and until design-stage SAP calculation summaries for the new dwelling consistent with, or improving upon, the identified level of environmental performance, have been submitted to, and approved in writing by the Local Planning Authority.
REASON: In the interests of environmental sustainability, in accordance with Policy ENV6 of the Crawley Borough Local Plan 2015-2030, Policy SDC1 of the submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.
8. The new dwelling hereby permitted shall not exceed 9.4m above the existing ground level when measured to the top of the chimney pots to ensure that the new dwelling matches the height of 9 Mill Road.
REASON: In the interests of visual amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
9. Notwithstanding the provisions of Schedule 2, Part 1, Class A, Class B, Class C, Class D, Class E and Class F of the Town and Country Planning General Permitted Development Order 2015 (as amended) or orders amending or revoking and re-enacting the same, the buildings hereby approved shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.
REASON: In order to safeguard the character and visual amenities of the Conservation Area, to protect the amenities and privacy of the adjoining properties and to prevent obstruction to the flow and storage of floodwater, with a consequent increased risk of flooding, in accordance with policies CH3, CH13 and ENV8 of the Crawley Borough Local Plan 2015-2030.
10. The first floor window on the north elevation of the building shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening to a height of 1.7m from floor level.
REASON: To protect the amenities and privacy of the adjoining property, in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows or other openings (other than those shown on the plans hereby approved)

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shall be formed in any elevation or the roof of the proposed dwellings without the prior permission of the Local Planning Authority on an application in that behalf.

REASON: To protect the amenities of adjoining residential properties against overlooking and loss of privacy in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

12. No development above slab level shall take place unless and until a scheme to provide superfast broadband to the dwelling hereby approved has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to the occupation of the dwelling unless otherwise agreed in writing by the Local Planning Authority.
REASON: To help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.
13. No development above slab level shall take place until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme. The approved details of the landscaping, which shall include a tree in the garden of the new dwelling, shall be carried out in the first planting and seeding season, following the occupation of the dwelling or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the amenity and of the environment of the development in accordance with Policy CH3 and CH6 of the Crawley Borough Local Plan 2015 - 2030.
14. Prior to first occupation of the new dwelling hereby permitted, the water efficiency measures including the physical fittings as specified in the Water Neutrality Statement v2 dated 18th August 2023 shall be implemented in full.
REASON: Taking account of the Natural England Position Statement on water neutrality received on 14 September 2021 and to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, in breach of the Conservation of Species and Habitats Regulations 2017.

INFORMATIVES

1. No machinery/vehicles/or plant/shall be operated on the site/premises except between the hours of:- 7.00 a.m. and 6.00 p.m. on Mondays to Fridays inclusive, 7.00 a.m. and 1.00 p.m. on Saturday, not at any time on Sundays or Public Holidays.
REASON: In the interests of amenity.
2. The applicant is advised to avoid peak times when receiving deliveries to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users.
3. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - a) Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - b) A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - c) Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefiting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

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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.



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Crawley Borough Council

Report to Planning Committee

14 November 2023

Section 106 Monies – Q1 2023/24

Report of the Head of Economy and Planning – PES/446

1. Purpose

- 1.1. Section 106 of the Town and Country Planning Act 1990 provides that planning permissions may be granted subject to planning obligations, agreed for individual site permissions between the developer and the local planning authority, which are set out in a separate legal agreement, often referred to as a 'Section 106 Agreement'. Financial contributions arising from such agreements are paid by site developers to the local planning authority and must be spent as set out in the relevant Section 106 (S106) agreement and in accordance with legislation. (See Appendix A).
- 1.2. This report summarises all the S106 monies received/spent and committed to project schemes in Q1 2023/24.

2. Recommendations

- 2.1. That the Committee notes the update on S106 monies received, spent, and committed in Q1 2023/24.

3. Reason for Recommendations

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

4. S106 Monies Received in Q1 2023/24

- 4.1. In Q1 2023/24 a total of £0 of monies were paid to the Council by developers in accordance with their obligations under the S106 agreements with the local planning authority.

5. S106 Monies Spent in Q1 2023/24

- 5.1. In Q1 2023/24, a total of -£160,951.22 of S106 monies were spent by the Council on the following infrastructure projects.

S106 Spend Category	Project Name	Lead Org	Project Cost	Status
Transport	A23 Crawley Avenue/ Ifield Avenue Roundabout improvements	WSCC	-£ 90,928.66	Complete
Library	WSCC business and information services at Crawley Library	WSCC	-£ 26,455.33	Complete
Open Space	Southgate Playing Fields	CBC	-£ 43,567.23	Ongoing

-£160,951.22

6. S106 Monies Committed in Q1 2023/24

6.1. A further £0.00 of S106 monies were committed to infrastructure projects in Q1 2023/24, through the Council's agreed approval process. The following table lists the projects which had S106 funds committed prior to 1 April 2023 and are still ongoing:

S106 Spend Category	Lead	Project Name	Project Cost	Completion
Affordable Housing	CBC	Affordable housing provision	£1,209,213.52	2025/26
Open Space	CBC	Bowness Close	£ 19,818.00	2023/24
Open Space	CBC	Brideake Close	£ 18,812.00	2023/24
Open Space	CBC	Curteys Walk	£ 15,905.00	2023/24
Open Space	CBC	Halley Close	£ 16,610.00	2023/24
Open Space	CBC	Ifield Junior	£ 6,010.70	2024/25
Open Space	CBC	Meadowlands	£ 71,565.00	2023/24
Open Space	CBC	Newbury Close	£ 326.15	2024/25
Open Space	CBC	Perkstead Court	£ 22,115.00	2023/24
Open Space	CBC	Plantain Crescent	£ 16,610.00	2023/24
Open Space	CBC	Puffin Close, Ifield	£ 19,818.00	2023/24
Open Space	CBC	Southgate Playing Fields	£ 626.38	2022/23
Open Space	CBC	Wakehams	£ 53,590.00	2023/24
Public Realm (MR)	CBC	CGP MR Superhubs	£ 146,945.21	2023/24
Town Centre	CBC	CGP Station Gateway	£ 97,855.60	2025/26
Town Centre	CBC	Mosaic Memorial Gardens	£ 11,483.69	2022/23
Town Centre	CBC	Creative Playground Programme. Arts Council funded 3yr project.	£ 40,000.00	2024/25
Transport	CBC	Bus Shelters	£ 104,675.73	2024/25
Transport	CBC	Crawley Growth Programme MR Superhubs	£ 116,617.87	2023/24
Transport	CBC	Crawley Growth Programme TC Superhubs	£ 64,793.34	2024/25
Transport	CBC	Crawley Growth Programme Three Bridges Railway Station	£ 11,847.78	2024/25
Transport	CBC	Manor Royal Walking & Cycling	£ 174,117.25	2025/26
			£ 2,239,356.22	

7. Available Funds and potential future spend

- 7.1. Officers at the Council have identified a programme of infrastructure projects to the value of £789,784.57, which are proposed to be delivered by 2026/27. The individual projects that make up this programme will be subject to the existing S106 approval process before any formal commitment is made. As of 1 July 2023, there remains £372,244.48 of other uncommitted S106 monies for which projects have yet to be identified. The table below lists the proposed infrastructure projects, which will be coming forward in due course for consideration through the S106 approval process.

Contribution Type	Project Name	Provisionally Allocated	Delivery by	Organisation	Status
CCTV	TC CCTV maintenance	£ 28,325.00	2025/26	CBC	Process to Commence
CCTV	Mobile CCTV	£ 4,966.00	2025/26	CBC	Process to Commence
Fire	Breathing Equipment	£ 50,000.00	TBC	WSCC	Process to Commence
Fire	West Sussex County Council - Crawley Fire, further details to be provided by WSCC	£ 102,246.81	TBC	WSCC	Process to Commence
Open Space	Allotments	£ 28,714.43	TBC	CBC	Process to Commence
Open Space	Unsupervised Play Programme, exact locations will be provided before formal committing funds.	£ 94,895.54	2023/25	CBC	Process to Commence
Open Space	Playing Fields	£ 51,500.00	2023/25	CBC	Process to Commence
Public Realm (MR)	County Oak or Metcalf Way Pocket Parks	£ 5,672.03	TBC	MRBID	Process to Commence
Public Realm (MR)	Public realm improvements at Crawter's Brook	£ 22,846.00	TBC	MRBID	Process to Commence
Public Realm (MR)	Gateway 2 Project / street furniture in zone 3 of Manor Royal	£ 9,960.30	TBC	MRBID	Process to Commence
Public Realm (MR)	Manor Royal Microparks Programme	£ 44,327.27	2025/26	CBC	Process to Commence
Town Centre	Crawley Growth Programme – Station Gateway	£ 12,232.50	2025/26	CBC/WSCC	Process to Commence
Transport	Crawley Growth Programme – Station Gateway	£ 136,752.88	2025/26	CBC	Process to Commence
Transport	Crawley Growth programme - Manor Royal Highway Junction Improvements - including bus lane extension (Phases 1 & 2)	£ 23,313.74	2025/26	WSCC	Process to Commence
Transport	Crawley Growth Programme - Three Bridges Station Improvement Scheme.	£ 60,000.00	2026/27	CBC	Process to Commence
Transport	Bus Stop Contribution - Steers Lane.	£ 20,845.92	2023/24	CBC	Process to Commence
Transport	Car Club	£ 2,343.00	2024/25	CBC	Process to Commence
Transport	Monitoring of Travel Plan - The Base, Fleming Way	£ 6,843.15	2024/25	WSCC	Process to Commence
Transport	Towards the provision of services on the Metrobus bus route 200.	£ 84,000.00	2026/27	CBC	Process to Commence

£ 789,784.57

8. Summary of S106 Monies

- 8.1. The table below provides an overall overview of the S106 monies spent, received, and committed in Q1 2023/24 and shows the change in the balance of S106 at the end of Q1 of the financial year 2023/24 (far right-hand column) compared to the balance of S106 funds brought forward as of 1 April 2023 (2nd column from the left).

S106 Categories of Spend	Balance Brought Forward 01/04/23	Received Q1 2023/24	S106 Spend Q1 2023/24	Committed prior to Q1 2023/24 Project Ongoing	Committed Q1 2023/24	Provisionally Allocated Q1 2023/24	Uncommitted/ not Provisional Allocation 30/06/23	Total Balance 01/07/23
Transport	£903,434.18	£0.00	-£90,928.66	£472,051.97	£0.00	£334,098.69	£6,354.86	£812,505.52
Public Realm (MR)	£232,578.87	£0.00	£0.00	£146,945.21	£0.00	£82,805.60	£2,828.06	£232,578.87
Library	£43,970.28	£0.00	-£26,455.33	£0.00	£0.00	£0.00	£17,514.95	£17,514.95
Open Space	£480,483.43	£0.00	-£43,567.23	£261,806.23	£0.00	£175,109.97	£0.00	£436,916.20
Town Centre	£161,571.79	£0.00	£0.00	£149,339.29	£0.00	£12,232.50	£0.00	£161,571.79
Fire	£152,246.81	£0.00	£0.00	£0.00	£0.00	£152,246.81	£0.00	£152,246.81
Education	£182,798.46	£0.00	£0.00	£0.00	£0.00	£0.00	£182,798.46	£182,798.46
CCTV	£33,291.00	£0.00	£0.00	£0.00	£0.00	£33,291.00	£0.00	£33,291.00
Affordable Housing	£1,241,228.80	£0.00	£0.00	£1,209,213.52	£0.00	£0.00	£32,015.28	£1,241,228.80
Tree Contribution	£130,732.87	£0.00	£0.00	£0.00	£0.00	£0.00	£130,732.87	£130,732.87
Total	£3,562,336.49	£0.00	-£160,951.22	£2,239,356.22	£0.00	£789,784.57	£372,244.48	£3,401,385.27

9. Background Information

The last report to Planning Committee: [PES/434](#)

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Appendix A

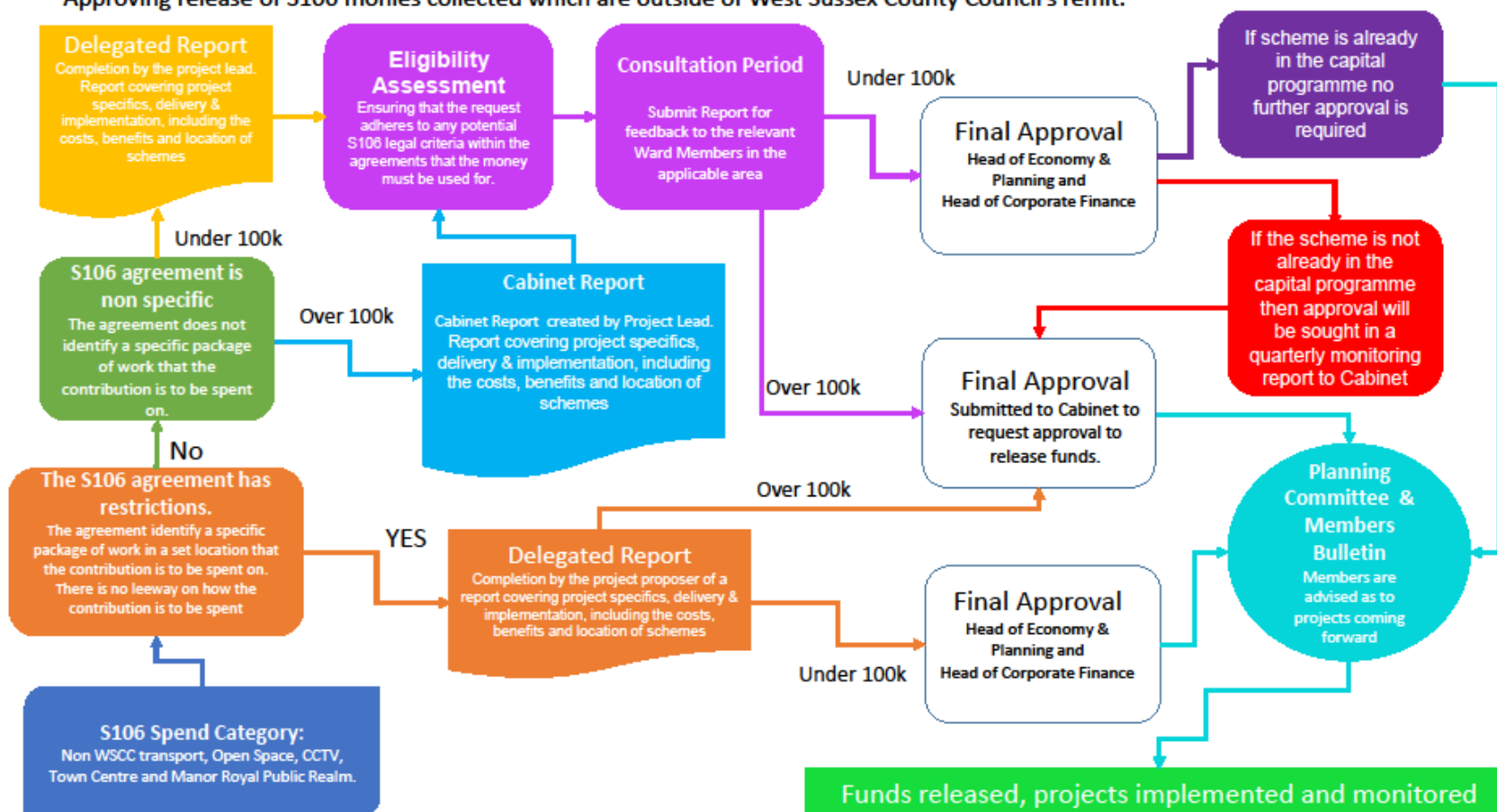
Planning Obligations (excerpt from: [Developer Contributions Guidance Note.pdf \(crawley.gov.uk\)](https://www.crawley.gov.uk/media/12345/Developer_Contributions_Guidance_Note.pdf))

- Planning obligations are used specifically when the planning permission is deemed to have significant impact on the local area which cannot be mitigated by conditions. The statutory framework for planning obligations is set out in Section 106 of the Town & Country Planning Act 1990 (as amended by Section 12 (1) of the Planning and Compensation Act 1991). They are therefore widely referred to as 'Section 106' or 'S106' agreements.
- Planning obligations usually take the form of a legal agreement between the developer/landowner and the local planning authority, under which the former party is bound to undertake specific actions (including the payment of stated monetary sums) for the purpose of contributing to meeting the infrastructure demands arising from a development. They can also take the form of a 'Unilateral Undertaking' entered into by the landowner on their own initiative.
- The National Planning Policy Framework (NPPF) provides guidance to local planning authorities on the use of planning obligations in paragraphs 54 to 57. These state that local planning authorities can only use obligations where a condition cannot adequately address any impacts which are deemed unacceptable. Obligations must also meet the following criteria:
 - Necessary to make the development acceptable in planning terms;
 - Directly related to the development; and
 - Fairly and reasonably related in scale and kind to the development.
- The NPPF further sets out that where policies have set out the contributions expected from development, planning applications that comply with them should assumed to be viable.
- With regards to S106 Transport contributions, they are to be spent on services and infrastructure provided by both CBC and WSCC. It was agreed in 2007 that CBC will liaise with the WSCC to identify appropriate schemes or projects to be funded by developer contributions and the County Council's Highways Works Programme. Unless the clause specifies how the contribution is to be spent, CBC's spending policy is to allocate monies between schemes both local to the development and those schemes of a strategic nature. See Appendix B for governance procedure.
- As the local planning authority CBC receive all monies in respect of S106 contributions including those in respect of the services provided by the County Council. See Appendix C for governance procedure.

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Appendix B

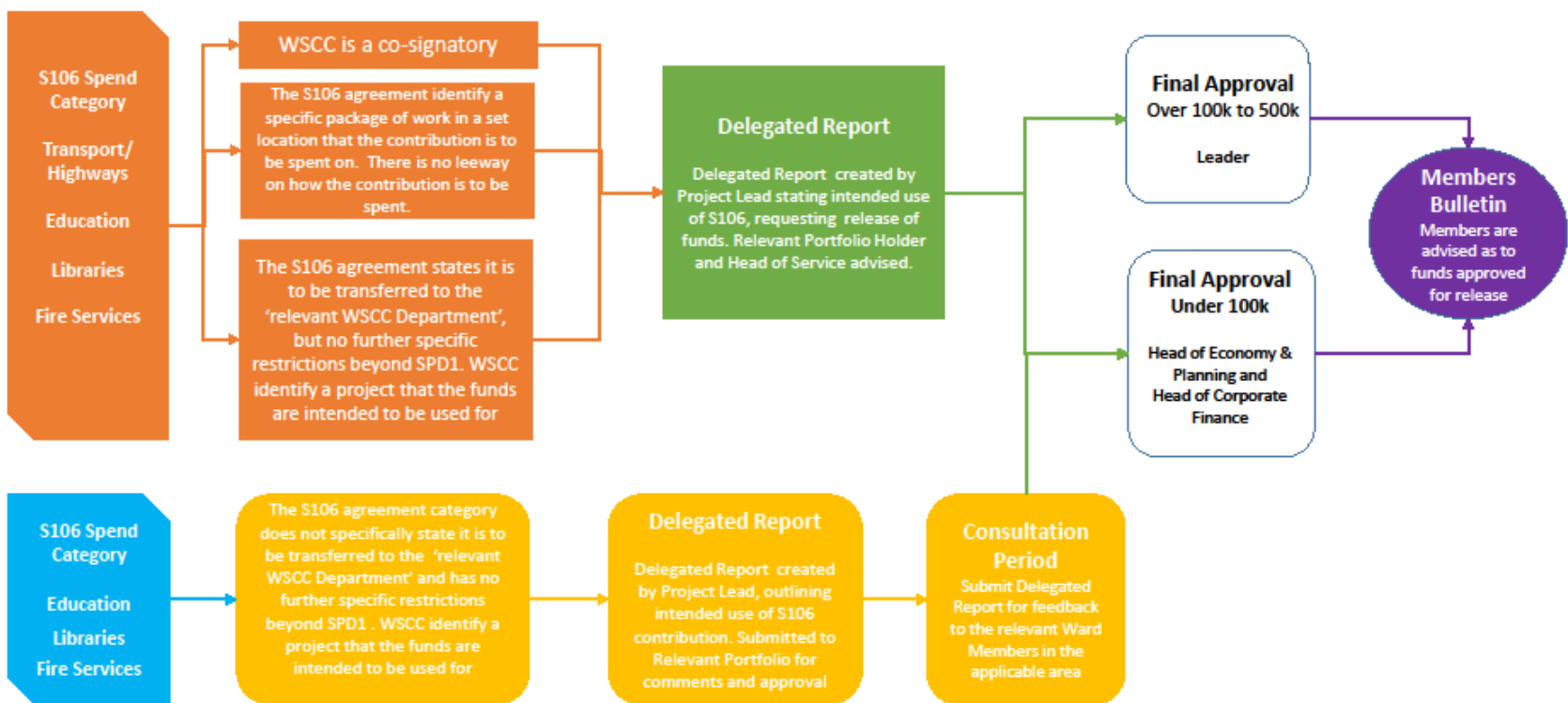
Approving release of S106 monies collected which are outside of West Sussex County Council's remit.



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Appendix C

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



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