

## Crawley Borough Council

### Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Rooms A & B - Town Hall**, on **Monday, 4 December 2023** at **7.00 pm**

Nightline Telephone No. 07881 500 227



**Chief Executive**

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

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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
<b>1. Apologies for Absence</b>		
<b>2. Disclosures of Interest</b>		
In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.		
<b>3. Lobbying Declarations</b>		
The Planning Code of Conduct requires any councillors who have been lobbied, received correspondence, or been approached by an interested party regarding any planning matter to declare this at the meeting at which the matter is being considered. Councillors should declare if they have been lobbied at this point in the meeting.		
<b>4. Minutes</b>		5 - 12
To approve as a correct record the minutes of the Planning Committee held on 14 November 2023.		
<b>5. Planning Application CR/2020/0274/FUL - Ambulance Station, Ifield Avenue, West Green</b>	Northgate & West Green	13 - 48
To consider report PES/447a of the Head of Economy and Planning.		
<b>RECOMMENDATION</b> to delegate the decision to PERMIT.		
<b>6. Planning Application CR/2021/0571/FUL - Land to the Front of Ewhurst Place, Ifield Drive, Ifield</b>	Ifield	49 - 66
To consider report PES/447b of the Head of Economy and Planning.		
<b>RECOMMENDATION</b> to REFUSE.		

		<b>Pages</b>
<b>7.</b>	<p><b>Planning Application CR/2023/0118/FUL - Three Bridges Football Club, Jubilee Walk, Three Bridges</b></p> <p>To consider report PES/447c of the Head of Economy and Planning.</p> <p><b>RECOMMENDATION</b> to delegate the decision to PERMIT.</p>	Three Bridges 67 - 84
<b>8.</b>	<p><b>Planning Application CR/2023/0357/OUT - Former Pay and Display Car Park, Telford Place, Three Bridges</b></p> <p>To consider report PES/447d of the Head of Economy and Planning.</p> <p><b>RECOMMENDATION</b> to delegate the decision to PERMIT.</p>	Three Bridges 85 - 120
<b>9.</b>	<p><b>Tree Preservation Order Application CR/2023/0436/TPO - Worth Park Lake, Pound Hill</b></p> <p>To consider report PES/447e of the Head of Economy and Planning.</p> <p><b>RECOMMENDATION</b> to CONSENT.</p>	Pound Hill North & Forge Wood 121 - 124
<b>10.</b>	<p><b>Tree Preservation Order Application CR/2023/0558/TPO - 64 Pearson Road, Pound Hill</b></p> <p>To consider report PES/447f of the Head of Economy and Planning.</p> <p><b>RECOMMENDATION</b> to CONSENT.</p>	Pound Hill South & Worth 125 - 128
<b>11.</b>	<p><b>Crawley Borough Council Tree Preservation Order - Hazelwood, Balcombe Road, Pound Hill - 07/2023</b></p> <p>To consider report PES/448 of the Head of Economy and Planning.</p> <p><b>RECOMMENDATION</b> to CONFIRM.</p>	Pound Hill North & Forge Wood 129 - 136

**12. 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, 14 November 2023 at 7.30 pm

#### Councillors Present:

S Pritchard (Chair)

M Mwagale (Vice-Chair)

Z Ali, J Charatan, J Hart, K L Jaggard, K Khan, Y Khan and S Mullins

#### Also in Attendance:

Councillor B J Burgess

#### Officers Present:

Valerie Cheesman	Principal Planning Officer
Siraj Choudhury	Head of Governance, People & Performance
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Officer
Hamish Walke	Principal Planning Officer

#### Apologies for Absence:

Councillor J Bounds

#### Absent:

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	Planning Application CR/2023/0197/FUL – Land Adjacent to Hydehurst Lane, Northgate (minute 4)	Personal interest – a West Sussex County Councillor.
Councillor Ali	Planning Application CR/2023/0484/FUL – 9 Mill Road, Three Bridges (minute 6)	Personal interest – a member of West Sussex County Council's Planning and Rights of Way Committee.

## 2. Lobbying Declarations

The following lobbying declarations were made by councillors:

Councillors Ali, Jaggard, K Khan, Y Khan, S Mullins, Mwangale, and Pritchard had been lobbied but had expressed no view on application CR/2023/0197/FUL.

Councillor Ali had been lobbied but had expressed no view on application CR/2023/0220/FUL.

Councillor Ali had been lobbied but had expressed no view on application CR/2023/0420/FUL.

Councillors Ali and Pritchard had been lobbied but had expressed no view on application CR/2023/0484/FUL.

## 3. Minutes

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

## 4. Planning Application CR/2023/0197/FUL - Land Adjacent to Hydehurst Lane, Northgate, Crawley

The Committee considered report [PES/440a](#) of the Head of Economy and Planning which proposed as follows:

*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.*

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

The Principal Planning Officer (VC) provided a verbal summation of the application, which set out a proposal to construct a warehouse building for use as a parcel distribution centre bordering the Manor Royal Business District. It was explained that the recommendation was that the Committee delegate the decision to permit the application to the Head of Economy and Planning. The Officer then gave details of the various relevant planning considerations as set out in the report.

Hayden Kreetzer, the agent (Quod), spoke on behalf of the applicant in support of the application. Matters raised included:

- The development was purposely designed for its intended occupier (DPD). It was predicted that 130 jobs at different levels were to be created and £6m would be brought to the local economy.
- The building was designed to reflect its location on the border of the Manor Royal Business District to the south and open countryside to the north. A green roof was proposed which would create a biodiversity net gain and a BREEAM 'excellent' rating was to be achieved.
- Traffic modelling had shown that there was capacity on nearby roads and junctions to account for an increase in vehicle movements.

The Committee then considered the application. Further information was sought regarding the potential impact of an increase in traffic around the application site. The Officer confirmed that a transport assessment had been undertaken, which predicted

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an additional 77 two-way vehicle movements in the morning peak period and 82 in the afternoon peak period. West Sussex County Council, as highways authority, had concluded that there would be no unacceptable impact on nearby roads and junctions as there was currently excess capacity, and had raised no objection to the proposals. Hydehurst Lane was a privately-owned highway; any damage to the road would fall to the owner to repair.

Committee members sought more detail about the proposed changes to the ponds currently at the site and any related flood risk. The Officer clarified that the pond at the eastern end of the site was to be retained and enhanced. The pond in the central section was to be removed; underground storage tanks were to be installed underneath the car park to collect rainwater to protect against flooding. The existing drainage features at the western end of the site were to be retained. The measures set out in the drainage strategy had been considered by specialists and were deemed sufficient to mitigate any water displacement caused by the development.

Committee members raised several other points as part of the discussion:

- A concern was raised that the development was located within the boundary of safeguarded land for the potential future development of a second runway at Gatwick Airport. The Officer confirmed that the site was outside the boundary in the adopted Local Plan, so there was not currently any planning policy that would prohibit the application from being permitted on these grounds.
- The design of the building and the proposed landscaping were considered to be attractive. Reassurances were sought regarding the safety of the materials used for the wood cladding.
- The proposal to move to an all-electric fleet of large goods vehicles serving the site was praised for its sustainability benefits. The Officer confirmed that the details of the proposal were provided as part of the documentation with the application, and would be secured through the S106 agreement as part of air quality mitigation measures.
- The report set out that there would be no overspill of parking on to local roads as the proposed parking provision was sufficient for all vehicles associated with the development, but queries were raised as to how this would be monitored. The Officer highlighted that Hydehurst Lane was privately-owned and monitoring and enforcement was the responsibility of the owner.

## **RESOLVED**

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;

And the conditions set out in report PES/440a.

## 5. **Planning Application CR/2023/0220/FUL - 76 Gales Drive, Three Bridges, Crawley**

The Committee considered report [PES/440b](#) of the Head of Economy and Planning which proposed as follows:

*Construction of a part two storey / part single storey rear and side extension.*

Councillors Ali, Jaggard, Mwangi, and Pritchard declared they had visited the site.

The Principal Planning Officer (HW) provided a verbal summation of the application, which sought permission for an extension to a residential property. The extension was proposed to be the full width of the existing property at ground floor level, with a small area around the side of the property, and the addition of one habitable room on the first floor. The Officer then gave details of the various relevant planning considerations as set out in the report.

M Amer, the applicant, spoke in support of the application. Matters raised included:

- The proposal in front of the Committee was the final of a number of iterations, which had been changed following feedback from Planning Officers. The original plans were ambitious and had sought a four bedroom house; the application would instead create a three bedroom house.
- Compromises had been made in order to reduce the adverse impact of the proposals on neighbours and discussion with the owner of the neighbouring property had taken place.
- The space available for the extension was limited but had been made use of as best as possible.

The Committee then considered the application. A Committee member raised concerns that a significant amount of space would be lost from the garden as a result of the extension. The Officer confirmed that the garden depth would be reduced to eight metres, which was below the minimum of 10.5 metres set out in the Urban Design SPD, however reassurance was given that the sizable width of the rear garden and the large front garden would mitigate this and the total area would exceed policy requirements.

Clarification was sought about the positioning of the window on the first floor part of the extension and the extent to which it may overlook the neighbouring school. The Officer explained that the window was for an ensuite bathroom so would likely be obscured, and would overlook the school's parking/service space rather than the main area.

### **RESOLVED**

Permit subject to the conditions set out in report PES/440b.

## 6. **Planning Application CR/2023/0484/FUL - 9 Mill Road, Three Bridges, Crawley**

The Committee considered report [PES/440d](#) of the Head of Economy and Planning which proposed as follows:

*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.*

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



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The Principal Planning Officer (HW) provided a verbal summation of the application, which sought permission for an extension to a residential property on Mill Road and a new, separate dwelling attached to the existing property. The Officer updated the Committee that, since the publication of the report, updates to the drawings submitted with the application had been made which had led to amendments to condition 2 as follows:

- *Replacement of drawings PL001 Rev B (Site Plan), PL301 Rev B (Proposed Floor Plans Loft and Roof), PL300 Rev C (Proposed Floor Plans Ground Floor & First Floor) and PL310 Rev A (Proposed Elevations), as listed in the report, by the updated drawings PL001 Rev C, PL301 Rev C, PL300 Rev D and PL310 Rev B.*

It was explained that the Committee was recommended to delegate the decision to permit the application to the Head of Economy and Planning. The Officer then gave details of the various relevant planning considerations as set out in the report.

Elena Andrei, a neighbour of the site, spoke in objection to the application. Matters raised included:

- The property was in a conservation area – the character of which, under planning legislation, should be preserved and enhanced. The proposed application did not contribute to the preservation or enhancement of the area.
- Damage to properties and to the highway may be caused by construction work; this was of particular concern given the age of the houses on Mill Road.
- The highway assessment undertaken by West Sussex County Council was insufficient.

Brenda Burgess, Ward Councillor for Three Bridges, spoke in objection to the application. Matters raised included:

- There was a known issue with narrow roads and limited parking availability in the area. West Sussex County Council had not consulted residents as part of its parking assessment and had not seemed to consider that 77% of parking permits had already been prescribed for the controlled parking zone.
- The construction of another building would displace water and may increase local flood risk; especially in light of recent significantly high rainfall levels.
- Although the design of the development was said to be in-keeping with the style of the area, it was still likely to be difficult to recreate the character of the older neighbouring railway properties. The proposed dwelling was large and bulky.

The Committee then considered the application. Committee members discussed that no parking provision was proposed as part of the application and that there was a shortfall of up to 4.5 parking spaces. Concerns were raised that parking was already an issue in the local area and the loss of spaces may exacerbate this. Mill Road was a narrow one-way street which could become dangerous if there were more vehicles using the road due to the proposed increase in occupancy at the site. The Officer explained that Crawley Borough Council Planning Officers had undertaken a number of site visits which had shown that parking spaces were available in the local area on various different dates and times and thus there was capacity. An appeal decision by the Planning Inspectorate regarding a previous application at the site had recognised that a shortfall may create some additional parking pressure, but this was not considered sufficient to justify dismissing the appeal. Committee members asked the Officer whether West Sussex County Council highways officers had visited the site, but this was not known.

The Committee had sympathy with neighbours' concerns regarding noise and disruption during the construction period and potential damage to their properties and to the highway. It was felt that this was particularly important due to the nature of Mill

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Road and the limited space for construction vehicles. Committee members asked whether a construction management plan could be implemented through a condition in order to control the construction process. The Officer advised that this would be possible to help manage the construction, but that any damage to neighbouring properties would be controlled by other legislation.

The Committee also discussed a potential condition relating to control of the materials to be used. Mill Road was considered to be an historic area of the town with a distinct character; there were concerns that a new property may stand out and negatively impact the streetscene. The Officer confirmed that details of the materials to be used had been supplied, which included the use of reclaimed bricks similar to those used in neighbouring properties. It was noted that a condition could be created to require samples of the materials to be submitted to the Council's planning team for approval in advance.

Committee members raised several other points as part of the discussion on the application:

- It was queried whether the 9 metre distance between the proposed new dwelling and the property directly opposite would have an impact on neighbouring amenity. The close proximity of the properties may cause direct window-to-window overlooking and a lack of privacy and queries were raised as to whether this would be acceptable in other areas of the town, or whether there was a planning policy that controlled this. The Officer highlighted that the character of the area should be taken into account and that the adjoining houses on Mill Road already had the same relationship to each other. The Council's planning policies did not set out standards to address relationships between front windows in houses opposite each other.
- A concern was raised that the distance between the proposed new dwelling and the fence boundary was below standard. It was confirmed that the plans set out a 0.8 metre distance at the front and a 0.3 metre distance at the rear. The 1 metre standard was not applicable in this case as there were no concerns that a terracing effect would be created.
- It was deemed unclear as to how the addition of four bathrooms across the two properties was considered to be water neutral. The Officer explained that the existing property was proposed to be reduced from three to two bedrooms; a decrease in occupancy would result in a decrease in water usage. The existing water fittings were to be upgraded to be more efficient including grey water recycling measures. Natural England and the Council's specialist consultants had assessed the proposals and deemed them to be water neutral. If the approved plans were not adhered to, enforcement could take place through the S106 agreement.
- Clarification was sought about the floorplan for the second floor of the proposed new dwelling. It was explained that there was not a habitable room; the small area at the top of the staircase was shown to be a landing area, loft space, and a bathroom.
- Following a query from a Committee member, it was heard that the wall-to-wall width of the proposed new dwelling was 4.9 metres and the layout was open plan. A concern was raised regarding potential strain on the party wall – the Officer confirmed that it was possible that steel beams may be inserted for support, but that this was a matter to be dealt with by the Building Regulations.

The Head of Governance, People & Performance referred to the appeal decision in relation to one of the previous applications for the site (CR/2021/0844/FUL) and highlighted the Planning Inspector's judgement regarding one of the then Planning Committee's reasons for refusal, namely, parking. Advice was given about the potential risk of a costs award being made against the Council if the Committee was

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minded to persist in objecting to elements of the scheme which the Planning Inspectorate had already deemed to be acceptable.

A Committee member proposed that the two amendments to the recommendation discussed during the debate, namely a condition requiring samples of materials to be submitted in advance and a condition regarding the implementation of a construction management plan, were to be attached to the planning permission were it to be approved. There was no opposition from the Committee and the amendments therefore became part of the substantive recommendation.

## RESOLVED

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, the conditions set out in report PES/440d (including amended condition 2), and the following amended/additional conditions:

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. **No development shall take place until samples of the proposed materials have been submitted to and approved 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 and the character of the Hazelwick Road conservation area and in accordance with Policies CH3, CH12 and CH13 of the Crawley Borough Local Plan 2015-2030.*

16. *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 covering 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, unless otherwise agreed in writing by the Local Planning Authority. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:*

- *the anticipated number, frequency and types of vehicles used during construction;*
- *the method of access and routing of vehicles during construction;*
- *the parking of vehicles by site operatives and visitors;*
- *the loading and unloading of plant, materials and waste;*
- *the storage of plant and materials used in construction of the development;*
- *the erection and maintenance of security hoarding;*
- *the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);*
- *the prevention of deliveries at the site during peak times for traffic movements (generally 0800-0900 and 1430-1530);*
- *Access arrangements from the public highway, including temporary accesses and alterations to existing accesses;*
- *details of public engagement both prior to and during construction works; and*
- *the control of noise from the works.*

*REASON: In the interests of highway safety and the amenities of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.*

## 7. **Planning Application CR/2023/0420/FUL - Unit A, 1-3 Metcalf Way, Langley Green, Crawley**

The Committee considered report [PES/440c](#) of the Head of Economy and Planning which proposed as follows:

*Insertion of 3 no. new windows complete with roller shutters to south east flank wall.*

Councillor Ali declared he had visited the site.

The Principal Planning Officer (VC) provided a verbal summation of the application. It was explained that that the internal layout of the building was being altered, so permission was sought for the installation of three windows to align with the new floorplans. The Officer then gave details of the various relevant planning considerations as set out in the report.

The Committee then considered the application. It was noted that the changes proposed were modest and were of an acceptable scale and design.

### **RESOLVED**

Permit subject to the conditions set out in report PES/440c.

## 8. **Section 106 Monies - Q1 2023/24**

The Committee considered report [PES/446](#) of the Head of Economy and Planning, which summarised all the Section 106 (S106) monies received, spent and committed to project schemes in quarter one of the financial year 2023/24.

The Head of Economy and Planning explained that funding received through S106 contributions via planning applications sought to offset the impacts of those developments and must be spent on specified projects. A Committee member requested clarification on the status of the Memorial Gardens mosaic project, to which S106 monies had been previously committed. It was heard that the works on the mosaic had been completed and the monies utilised, so there was an outstanding administrative procedure to ensure that that money was allocated to the correct budget.

### **RESOLVED**

That the update on S106 monies received, spent and committed in quarter one of the financial year 2023/24 was noted.

### **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 10.06 pm.

**S Pritchard (Chair)**

# Agenda Item 5

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 4 December 2023  
REPORT NO: PES/447(a)

**REFERENCE NO: CR/2020/0274/FUL**

**LOCATION:** [AMBULANCE STATION, IFIELD AVENUE, WEST GREEN, CRAWLEY](#)  
**WARD:** Northgate & West Green  
**PROPOSAL:** DEMOLITION OF EXISTING AMBULANCE CENTRE AND ERECTION OF 39 FLATS WITH ASSOCIATED PARKING AND AMENITY SPACE

**TARGET DECISION DATE:** 29 September 2020

**CASE OFFICER:** Mr H. Walke

**APPLICANT'S NAME:** TKEI (Crawley) Ltd  
**AGENT'S NAME:** Fluid Architecture Ltd

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

<b>Drawing Number</b>	<b>Revision</b>	<b>Drawing Title</b>
FD19-1686-53		Existing Site Section
FD19-1686-125	A	Green Wall Detail
FD19-1686-127	A	Brick Details
FD19-1686-129	A	Balcony Detail
S18/6996/01		Topographical Survey
19097-BT2		Tree Schedule Plan
19097-4		Tree Protection Plan
J32-4440-003		Swept Path Analysis - Refuse Vehicle
5172-OOB-ZZ-00-DR-L-0000_P04		Site Location Plan
5172-OOB-ZZ-00-DR-L-0002	P1	Site Plan
5172-OOB-ZZ-00-DR-L-0020	P04	Circulation Strategy
5172-OOB-ZZ-ZZ-DR-L-0005	P05	Roof Terraces
5172-OOB-ZZ-ZZ-DR-L-0010	P05	Existing and Proposed Levels with Existing Trees
5172-OOB-ZZ-ZZ-DR-L-0030	P06	Planting Strategy
FD19 - 1686 - 103	A	Third Floor Plan
FD19 - 1686 - 104	A	Fourth Floor Plan
FD19 - 1686 - 105	A	Fifth Floor Plan
FD19 - 1686 - 106	A	Roof Amenity Plan
FD19 - 1686 - 107	A	Roof Plan
FD19 - 1686 - 200	A	Proposed Site Plan
FD19 - 1686 - 201	B	Front and Rear Elevations
FD19 - 1686 - 202	B	Right and Left Flank Elevations
FD19 - 1686 - 203		Sections A-A and B-B
FD19 - 1686 - 204		Section C-C
5172-OOB-ZZ-ZZ-DR-L-0040	P05	Site Sections
5172-OOB-ZZ-ZZ-DR-L-0045	P04	Roof terrace sections
FD19 - 1686 - 100	C	Ground Floor Plan
FD19 - 1686 - 101	A	First Floor Plan
FD19 - 1686 - 102	A	Second Floor Plan

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## ADDENDUM REPORT

### REASON FOR REPORTING TO COMMITTEE:-

- 1.1 This planning application was considered at the meeting of the Planning Committee on 26 April 2021. A copy of the original Committee report is attached at the end of this report as appendix A and the minutes of the meeting for that item are attached as appendix B.
- 1.2 The Planning Committee meeting, resolved to grant planning permission for the development, subject to the conditions set out in the report, an amended condition 13 (Bird Hazard Management Plan) and an informative on use of cranes for construction purposes. Authority was delegated to the Head of Economy and Planning to finalise the wording of the recommended noise condition and the detailing of the refuse/recycling store and other elevational details. The resolution was also subject to the completion of a S106 agreement to secure the following:
  - A financial contribution of £7,418 for the Traffic Regulation Order
  - A financial contribution of £12,287 or equivalent on site mitigation measures to address the air quality impacts
  - A financial contribution of £38,500 towards off site new and replacement tree planting; and
  - 12 affordable housing units (5 rented and 7 shared ownership)
- 1.3 Since the committee resolution, officers and the applicants have been actively working to progress the S106 agreement and that work is ongoing. However, on 14 September 2021, the Natural England Position Statement on Water Neutrality was received by the Local Planning Authority. This has delayed progress on the application. As a consequence of the Position Statement, the planning permission cannot be issued until the development can demonstrate it would be “water neutral”.

### PLANNING CONSIDERATIONS:-

- 2.1 This report solely relates to the water neutrality issue that has arisen since the application was previously considered by the Planning Committee.
- 2.2 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 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.
- 2.3 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 adverse impact on the protected Arun Valley sites. It advises that developments within this zone must not add to this impact.
- 2.4 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 Natural England's 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.
- 2.5 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

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the use of water in the supply area before the development being the same or lower after the development is in place.

- 2.6 The applicant has recently submitted a Water Neutrality Statement to address this issue. The proposed development would result in the demolition of the disused ambulance station. Although the ambulance station use remains lawful, the buildings have been disused for several years. Natural England do not normally accept water use relating to an existing use where it cannot be demonstrated as occurring within the last three years. Therefore, following discussion between officers and the applicant, the Water Neutrality Statement makes no allowance for any existing water use.
- 2.7 The Water Neutrality Statement uses the Building Regulations Part G to calculate occupancy levels of the proposed flats, in accordance with officer advice. The calculated occupancy would be 115 residents. A target water consumption of 84.3 litres per person per day has been set. Again, this accords with guidance from officers and Natural England. The officer advice is based on experience of the consumption levels achieved in other residential developments in Crawley without resulting in significant viability concerns and in accordance with the emerging Policy SDC4 (Water Neutrality) of the Draft Crawley Borough Local Plan 2024-2040. The proposed consumption level of 84.3 litres per person per day is therefore accepted.
- 2.8 The Water Neutrality Statement contains specification details of fixtures and fittings that would enable the water consumption level per person to be achieved. These accord with the water usage contained within the BREEAM WAT 01 calculator tool set out in the report.
- 2.9 The total water consumption proposed is 9,695 litres per day across the development.
- 2.10 As the Committee are aware, Crawley Borough Council, through Crawley Homes, is delivering a water offsetting scheme to enable development proposals to be implemented. An initial pilot scheme was implemented in summer 2022 with 100 homes within the Crawley Homes' stock. This provided clear evidence that water savings of 27 litres per person per day could be achieved. Following the success of the pilot, a budget was secured to continue the retrofitting of further properties and the programme is ongoing. The water savings achieved have been used to offset the delivery of the GSK development in Manor Royal and to support the delivery of key affordable housing schemes at Lingley House and Breezehurst Drive.
- 2.11 The offsetting measures involve existing dwellings within the Crawley Borough Council owned housing stock being fitted with a flow-regulator that reduces water consumption. These flow regulators are fitted at the cold water inlet to each dwelling to restrict the flow rate of water. They can be supplied and fitted quickly, at a reasonable cost and without the need for internal access to the house. The water savings are achieved from fittings that operate for a specific time, such as running taps and showers, rather than volume-limited fittings, such as toilets or baths. The product requires a qualified tradesperson to carry out the installation, which is a sealed unit that is permanently plumbed-in and cannot be adjusted by the occupant. The tenant would potentially be in breach of their Tenancy Agreement if they attempted to remove or replace this device without the Council's consent. This therefore provides added certainty that the flow restrictor, once installed, will not be tampered with or removed. It therefore secures long term and ongoing water savings.
- 2.12 Crawley Homes has an established regime for managing and maintaining its existing housing stock. This includes the monitoring and maintenance of the water saving device. It is therefore considered that the maintenance and enforcement of the proposed off-site mitigation measure is manageable.
- 2.13 The Crawley Homes retrofitting scheme has been subject to robust scrutiny by independent consultants (Water Environment) for the Local Planning Authority and by Natural England. Both are satisfied that the retrofitting scheme is operating successfully and Appropriate Assessments have been issued in relation to other applications.
- 2.14 The Council in its capacity as the off-set provider has offered the applicant water savings from the Crawley Homes retrofitting programme to cover the water budget needed to mitigate the water usage arising from the proposed development.

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- 2.15 A retrofitting ledger is being kept to evidence and monitor the offsetting allocations. The Crawley Homes retrofitting programme has already achieved the water savings for this proposed development and it has been confirmed that the offsets are available for immediate use.
- 2.16 Officers have considered the Water Neutrality Statement and agree with the assumptions and conclusions. Provided the development is implemented in accordance with the details proposed, which can be secured through a S106 agreement, the development would be water neutral. It is recommended that the S106 agreement secures the delivery and implementation of a Water Neutrality Strategy, which would cover both on-site and off-site measures. Any payment for the required water offsets would be subject to separate agreement with the landowner and, in planning terms, certification of that would be provided as part of the required Water Neutrality Strategy. Based on these findings, an Appropriate Assessment document has been prepared by officers and sent to Natural England for comment, as required under the Habitat Regulations.

## **CONCLUSIONS:-**

- 3.1 The applicant has demonstrated that the proposed development would be water neutral. Consequently, approval is recommended subject to the conditions as set out in the Planning Committee minutes from 26 April 2021 and to a S106 agreement to secure the contributions previously agreed and also the submission and implementation of a Water Neutrality Strategy.

## **RECOMMENDATION RE: CR/2021/0174/FUL:-**

Delegate the decision to **PERMIT** the application to the Head of Economy and Planning to allow for:

- a) the conclusion of consultation with Natural England under the Habitats Regulations;
- b) the finalising of the noise condition, the refuse/recycling store and other elevational treatment in line with the earlier Planning Committee resolution;
- c) the completion of the Section 106 Agreement to secure:
  - A financial contribution of £7,418 for the Traffic Regulation Order
  - A financial contribution of £12,287 or equivalent on site mitigation measures to address the air quality impacts
  - A financial contribution of £38,500 towards off site new and replacement tree planting
  - Twelve affordable housing units (5 rented and 7 shared ownership); and
  - The submission and implementation of a Water Neutrality Strategy;

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. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
  - the anticipated number, frequency and types of vehicles used during construction,
  - the method of access and routing of vehicles during construction,
  - the parking of vehicles by site operatives and visitors,
  - the loading and unloading of plant, materials and waste,
  - the storage of plant and materials used in construction of the development,
  - the erection and maintenance of security hoarding,



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- the erection of fencing to protect trees,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
- details of public engagement both prior to and during construction works.

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

REASON WHY PRE-COMMENCEMENT: A Construction Management Plan is required pre-commencement because the potential impacts upon highway safety and local residents that the Plan would mitigate could occur from the beginning of on-site activity and preparatory work.

4. No development shall take place until a scheme, in the form of a site specific dust management plan, to control the emission of dust from the construction works at the site has been submitted to and approved in writing by the Planning Authority. The approved scheme shall have reference to the IAQM's Construction Dust Guidance (Guidance on the assessment of dust from demolition and construction (2014) and Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites (2018) and be fully implemented throughout the duration of construction works until completion of the development.  
REASON: In the interests of the amenities of the area in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.  
REASON WHY PRE-COMMENCEMENT: A Dust Management Plan is required pre-commencement because the potential impacts of dust upon local residents that the Plan would mitigate could occur from the beginning of on-site activity, preparatory work and demolition.
5. No above ground construction shall be carried out unless and until a schedule of materials and finishes, together with samples of such materials and finishes, to be used for external walls and roofs of the development hereby permitted have been submitted to and approved by the Local Planning Authority.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. The building hereby approved shall be constructed in strict accordance with the land levels and overall building height specified on the approved drawings and in other documents submitted with the application 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 visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
7. No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to the South, West or East elevations of the development hereby approved unless details have been submitted to and approved 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 and the Urban Design SPD.
8. Development should not commence until finalised detailed surface water drainage designs for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus 40% for climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.  
REASON: To prevent the increased risk of flooding and in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.  
REASON WHY PRE-COMMENCEMENT: Details regarding drainage and SUDS details are required pre-commencement because they are likely to involve below ground works that may be carried out at a very early stage in the construction process.
9. Development shall not commence until full details of the maintenance and management of the SUDS system is set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented and maintained in accordance with the approved details.  
REASON: To ensure the long term maintenance of the drainage system, prevent the increased risk of flooding and in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

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REASON WHY PRE-COMMENCEMENT: Details regarding drainage and SUDS details are required pre-commencement because they are likely to involve below ground works that may be carried out at a very early stage in the construction process.

10. No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of 5 metres or such distance as may be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.  
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy CH7 of the Crawley Borough Local Plan 2015 - 2030.  
REASON WHY PRE-COMMENCEMENT: Tree protection measures must be agreed and installed to protect important landscaping in and around the site prior to any site works taking place which could result in damage.
11. No above ground development shall take place until the following details have been submitted to, and approved by, the Local Planning Authority:
  - long-term management proposals to ensure appropriate maintenance of woodland and other naturalistic habitat areas (which may be combined with more formal landscape maintenance matters in an integrated Landscape and Habitat Management Plan); and
  - a concise checklist (for use on site) of avoidance and mitigation measures to cover protected species;The approved details shall be implemented in full and maintained thereafter unless otherwise approved in writing by the Local Planning Authority.  
REASON: To prevent loss of, and contribute to a net gain in, biodiversity and to ensure a high quality landscaping scheme in accordance with policies CH3 and ENV2 of the Crawley Borough Local Plan 2015-20309 and the relevant parts, including paragraph 175, of the National Planning Policy Framework.
12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
13. The Bird Hazard Management Plan dated April 2021 shall be implemented as approved, upon completion of the roofs and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: It is necessary to manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
14. No part of the development shall be first occupied until the covered and secure cycle parking spaces shown on the approved drawings have been fully provided and made available for use by residents.  
REASON: To encourage sustainable travel options and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030 and the parking standards set out in the Urban Design Supplementary Planning Document.
15. The building shall not be occupied until the parking spaces, manoeuvring and turning facilities shown on the submitted plans have been provided and constructed and a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than the parking, manoeuvring and turning of vehicles

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and the development shall be operated in accordance with the Parking Management Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways, that the spaces are allocated and managed for the benefit of all residents and in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

16. No part of the development shall be first occupied until a Travel Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.  
REASON: To encourage and promote sustainable transport and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.
17. The noise level outside any opening window to a noise sensitive habitable room shall not exceed the Unacceptable Adverse Effect Level as defined in policy ENV11 of the Crawley Borough Local Plan 2015-2030 unless otherwise agreed in writing by the Local Planning Authority. The Unacceptable Adverse Effect Level in ENV 11 is considered to occur where noise exposure from transport sources is above 66dB LAeq,16hr and 57dB LAeq,8hr at night.  
REASON: To protect the amenity of future residents against potential noise disturbance arising from traffic on Ifield Avenue and Crawley Avenue in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the National Planning Policy Framework.
18. (1) Before any above ground development takes place, a scheme shall be submitted to and approved in writing by the Local Planning Authority to protect the site and dwellings against the noise from Crawley Avenue and Ifield Avenue. The noise mitigation scheme shall demonstrate that the development is able to achieve:
- (a) A noise level within any (unoccupied) domestic living room (including kitchen/diners and open plan studio flats) or bedroom, with windows open, of no more than 35 dB LAeq,16hr (between 0700 and 2300 - day) and no more than 30dB LAeq,8hr (between 2300 and 0700 - night);
  - (b) a maximum noise level within any (unoccupied) domestic bedroom (or studio flats), with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700; and
  - (c) road traffic noise level in any external amenity areas of no more than 50dB LAeq,16hr. Where this standard cannot be achieved despite all potential mitigation being carried out, a level of no more than 55dB LAeq,16hr will be acceptable for the whole or a proportion of the private amenity area, the details of which are to be agreed with the Local Planning Authority.
- (2) Where the standards in (a) and/or (b) in paragraph (1) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which natural and if proved necessary mechanical ventilation will be provided to adequately deal with summer overheating.
- (3) After completion and prior to occupation, a survey involving the measurement of the effectiveness of the scheme, shall be undertaken. The survey shall select representative examples of dwelling types in agreement with the Local Planning Authority and identify the level of compliance to the scheme. A written report of the findings, identifying the level of compliance shall be submitted to the Local Planning Authority within one month of the survey completion. No part of the development can be occupied where compliance has not been achieved in full.
- (4) Where a dwelling does not comply with the standards in paragraph (2) sections (a) and (b), the applicant shall submit a scheme of remedial works for approval by the Local Planning Authority, including a programme for the implementation of the remedial works. The approved scheme for that dwelling must be implemented in full as agreed prior to occupation of that dwelling.
- (5) No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.
- (6) The approved scheme must be implemented in full and maintained for the lifetime of the building. Any amendments to the scheme or alterations to the windows or ventilation must be agreed with the Local Planning Authority in advance on an application on that behalf.  
REASON: To protect the amenity of future residents against potential noise disturbance arising from traffic on Ifield Avenue and Crawley Avenue in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the National Planning Policy Framework.

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19. Prior to the first occupation of the flats hereby approved, the outdoor landscaped roof terraces and the ground level outdoor amenity areas shall be fully implemented and made available for use by residents. The terraces and amenity space areas shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To create a high quality residential environment an adequate amenity space for future residents and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
20. The development shall be implemented in strict accordance with the details set out in the Sustainability and Energy Statement dated 26 March 2020 unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of environmental sustainability in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.
21. The residential units shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate that each unit shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption.  
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.
22. The residential units shall not be occupied until the proposed solar PV panels set out within the Sustainability and Energy Statement have been installed and made operational.  
REASON: In the interests of sustainability and reduced carbon emissions in accordance with Policy ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

## INFORMATIVES

1. The water efficiency standard required under condition 21 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015) at Appendix A paragraph A1.
2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email: [lgwcranes@gatwickairport.com](mailto:lgwcranes@gatwickairport.com). For further details please refer to CAP1096 'Guidance to Crane Operators on Aviation Lighting and Notification' available at [www.caa.co.uk](http://www.caa.co.uk).
3. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

4. 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

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demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

5. 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](http://www.crawley.gov.uk/cil), email [development.control@crawley.gov.uk](mailto: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.
6. A formal application for connection to the water supply is required in order to service this development. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex BN13 3NX (Tel. 0330 303 0119). Website: [southernwater.co.uk](http://southernwater.co.uk) or by email at [SouthernWaterPlanning@southernwater.co.uk](mailto:SouthernWaterPlanning@southernwater.co.uk).

## NPPF Statement

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

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

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PREVIOUS REPORT TO PLANNING COMMITTEE

**CRAWLEY BOROUGH COUNCIL**

**PLANNING COMMITTEE - 26 April 2021**

**REPORT NO: PES/362(e)**

**REFERENCE NO: CR/2020/0274/FUL**

**LOCATION:** [AMBULANCE STATION, IFIELD AVENUE, WEST GREEN, CRAWLEY](#)

**WARD:** Northgate & West Green

**PROPOSAL:** DEMOLITION OF EXISTING AMBULANCE CENTRE AND ERECTION OF 39 FLATS WITH ASSOCIATED PARKING AND AMENITY SPACE

**TARGET DECISION DATE:** 29 September 2020

**CASE OFFICER:** Mr H. Walke

**APPLICANT'S NAME:** TKEI (Crawley) Ltd

**AGENT'S NAME:** Fluid Architecture Ltd

**PLANS & DRAWINGS CONSIDERED:**

Drawing Number	Revision	Drawing Title
FD19-1686-53		Existing Site Section
FD19-1686-125	A	Green Wall Detail
FD19-1686-127	A	Brick Details
FD19-1686-129	A	Balcony Detail
S18/6996/01		Topographical Survey
19097-BT2		Tree Schedule Plan
19097-4		Tree Protection Plan
J32-4440-003		Swept Path Analysis - Refuse Vehicle
5172-OOB-ZZ-00-DR-L-0002	P1	Site Plan
5172-OOB-ZZ-00-DR-L-0020	P04	Circulation Strategy
5172-OOB-ZZ-ZZ-DR-L-0005	P05	Roof Terraces
5172-OOB-ZZ-ZZ-DR-L-0010	P05	Existing and Proposed Levels with Existing Trees
5172-OOB-ZZ-ZZ-DR-L-0030	P06	Planting Strategy
FD19 - 1686 - 103	A	Third Floor Plan
FD19 - 1686 - 104	A	Fourth Floor Plan
FD19 - 1686 - 105	A	Fifth Floor Plan
FD19 - 1686 - 106	A	Roof Amenity Plan
FD19 - 1686 - 107	A	Roof Plan
FD19 - 1686 - 200	A	Proposed Site Plan
FD19 - 1686 - 201		Front and Rear Elevations
FD19 - 1686 - 202		Right and Left Flank Elevations
FD19 - 1686 - 203		Sections A-A and B-B
FD19 - 1686 - 204		Section C-C
5172-OOB-ZZ-ZZ-DR-L-0040	P05	Site Sections
5172-OOB-ZZ-ZZ-DR-L-0045	P04	Roof terrace sections
FD19 - 1686 - 100	A	Ground Floor Plan
FD19 - 1686 - 101	A	First Floor Plan

FD19 - 1686 - 102	A	Second Floor Plan
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**CONSULTEE NOTIFICATIONS & RESPONSES:-**

**Statutory consultees**

- |    |                                      |                                                         |
|----|--------------------------------------|---------------------------------------------------------|
| 1. | GAL Aerodrome Safeguarding           | No objection subject to condition                       |
| 2. | WSCC Highways                        | No objection subject to conditions and TRO contribution |
| 3. | National Air Traffic Services (NATS) | No safeguarding objection                               |
| 4. | WSCC Lead Local Flood Authority      | No objection                                            |

**Other consultees**

- |     |                                            |                                                                                                      |
|-----|--------------------------------------------|------------------------------------------------------------------------------------------------------|
| 5.  | Thames Water                               | No objection subject to informative                                                                  |
| 6.  | Sussex Building Control Partnership        | No response received                                                                                 |
| 7.  | Sussex Police                              | Comments provided                                                                                    |
| 8.  | CBC Drainage Officer                       | Further comments awaited                                                                             |
| 9.  | CBC Housing Enabling & Development Manager | No objection                                                                                         |
| 10. | CBC Planning Arboricultural Officer        | No objection to original proposal subject to conditions. No response received on the revised scheme. |
| 11. | CBC Environment Team                       | No response received                                                                                 |
| 12. | CBC Environmental Health                   | No objection subject to conditions                                                                   |
| 13. | Crawley Cycle & Walking Forum              | Comments provided                                                                                    |
| 14. | CBC Refuse & Recycling Team                | Comments provided                                                                                    |
| 15. | Southern Water Ltd                         | No objection                                                                                         |
| 16. | CBC Energy Efficiency & Sustainability     | No response received                                                                                 |
| 17. | CBC Urban Design                           | No response received                                                                                 |
| 18. | Ecology Officer                            | Comments awaited                                                                                     |
| 19. | CBC Forward Planning - Housing             | No response received                                                                                 |
| 20. | CBC Env Health (AQMA)                      | No objection subject to mitigation and conditions                                                    |
| 21. | WSCC Fire & Rescue                         | No objection                                                                                         |

**NEIGHBOUR NOTIFICATIONS:-**

Neighbour consultation letters were sent to the following addresses:

- 7 Wainwrights;
- Ewhurst Wood Sports and Social Club;
- 79, 81, 83, 100, 102 and 104 Ewhurst Road;
- Crawley Labour Supporters Club; and
- Crawley Horticultural Society.

The letters had a consultation expiry date of 27 July 2020. Reconsultation letters were sent to the same addresses with an expiry date of 7 April 2021. Site notices were also displayed with an expiry date of 27 July 2020.

**RESPONSES RECEIVED:-**

Seven responses were received to the original consultations, from five nearby residential properties and from Crawley Horticultural Society raising the following matters:

Ifield Avenue is busy, with queues at peak times on Ifield Avenue, Ewhurst Road and the A23 roundabout. Previously ambulances had difficulty turning right out of the site. Concern is expressed that future residents will experience the same problem turning right. Ewhurst Road residents sometimes have difficulties getting in/out of their properties. Increased traffic would worsen this. A mini roundabout is suggested at the junction of Ifield Avenue and Ewhurst Road to assist turning right out of Ewhurst Road and slow traffic down outside the site to assist access/egress. There have been many accidents on the corner of Ewhurst Road and the proposal would increase these.



## PREVIOUS REPORT TO PLANNING COMMITTEE

Inadequate parking provision proposed on site. Query how the parking spaces will serve the flats and where additional parking would take place. Proposal is likely to increase pressure on the West Green playing field's public car park, which is already used by commuters going to work. This would reduce availability for people using the playing fields and the four club premises. There are also no parking controls on Ewhurst Road, so overflow parking would take place there.

Development is too large and not well laid out. Studies quoted use flats closer to the town centre, which may have a different demographic.

Proposal would cause more congestion, air pollution, noise and traffic on an already busy road. Overlooking and loss of privacy would result to houses/gardens south of Ifield Avenue due to the five storey height proposed and the roof terraces. Anti-social behaviour is occurring in West Green Park and the car park, which could be increased. CCTV cameras in the car park and around the new flats could address this. Noise should be addressed through sound proofing and controls on use of roof terraces to avoid disturbance to existing residents.

Ewhurst Road has two storey properties. The proposal is more suitable to the town centre and would be the only development of flats in the area. It would change the character of the neighbourhood. A low rise development no higher than the trees would be more appropriate.

The loss of trees would harm air quality and wildlife habitats whilst increasing local flood risk. The number of trees to be removed should be reconsidered and flora/fauna protected. The Horticultural Society query what the boundary treatment between the two sites would be and suggest a boundary fence. The Society also raises concerns about the protected oak tree (T13), which it feels could be compromised by building works affecting groundwater, stability and possibly causing damage to the flats and the Society's building.

Two respondents raised concerns about the consultation process, having heard about the scheme through social media. (*Officer response - Their submitted comments overlapped with consultation letters being sent out in the post. Both properties were formally consulted on the application*). The developer has also not consulted with local residents.

One response suggests possible mitigation measures if the development proceeds. The measures proposed are tree planting on the south side of Ifield Avenue to screen gardens, traffic management measures and parking controls in the area, installation of CCTV cameras and noise controls on residents.

In response to reconsultations, three further responses were received from local residents who had commented previously. One response welcomed the revised plans, but concern was expressed by two respondents about only 22 parking spaces being proposed for 39 flats. They expressed concern that overspill parking would take place in the adjoining car park and in surrounding streets. The traffic report is unsatisfactory as it was carried out during lockdown. One reply states that the proposal would cause a loss of privacy in Ewhurst Road and that the roof terraces would cause disturbance. People living on the site in the abandoned buildings makes it feel unsafe. Lower level buildings or houses would be preferable. The final response withdrew the original comments made on traffic flows.

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

The proposal is for major development.

## **THE APPLICATION SITE:-**

- 1.1 The site is located on the north-eastern side of Ifield Avenue, within the neighbourhood of West Green. The application site was formerly used as an ambulance station. That use ceased around 2016 and the site has since been vacant. The site contains two linked single storey brick buildings. There is an existing (currently blocked) vehicular access onto Ifield Avenue and a parking/manoeuvring area to the west and north of the building. There is a Tree Preservation Order covering some trees within the application site.
- 1.2 Ewhurst Wood lies to the north and west of the application site, as well as continuing to the south across Ifield Avenue. West Green Park, the Crawley Horticultural Society and Labour Party

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Supporters clubhouses and the Ram Sports and Social Club are to the east. Ifield Avenue and residential properties in Ewhurst Road lie to the south.

- 1.3 In terms of planning designations, the site falls within the town's defined Structural Landscaping, which includes West Green Park, Ewhurst Woods and adjoining land running along Crawley Avenue. Ewhurst Wood, up to the site's north-west and north-east boundaries, is a Site of Nature Conservation Importance. The site lies within the Long Distance View Splays from Tilgate Park and Target Hill. The Town Centre boundary defined in the Local Plan lies approximately 400 metres to the east along Ifield Avenue.
- 1.4 With the exception of the application site itself, the land to the north of Ifield Avenue including Ewhurst Wood, West Green Park, the bowling green and various club buildings are all owned by Crawley Borough Council. Ifield Avenue is adopted public highway and a narrow strip of land immediately to the south of the application site appears to be owned by the County Council.

## **THE PROPOSED DEVELOPMENT:-**

- 1.5 The proposal would involve the demolition of the existing disused ambulance station and its replacement by a 'C' shaped block containing a total of 39 flats (two x one bed and 37 x two bed flats). The building would be built around a central courtyard, which would form private amenity space for residents. The block would vary from three storeys (south east corner), up to four storeys for much of the Ifield Avenue frontage, five storeys along the western boundary and stepping up to six storeys in height on the northern side.
- 1.6 Three communal roof terraces would be provided above the fourth and fifth floors on the western and northern parts of the building. Two areas of PV solar panels are proposed on the parts of the flat roof.
- 1.7 The existing vehicular access would be retained and a total of 22 car parking spaces, including 2 for visitors, are proposed within the site. Six spaces would form EV charging points. A total of 36 internal cycle parking spaces are proposed within two stores, along with four Sheffield stands (eight spaces) for visitors. Two bin stores are also proposed at ground floor level.
- 1.8 The applicant submitted the following documents in support of the planning application:
  - Design and Access Statement
  - Planning Statement
  - Affordable Housing Statement
  - Transport Statement
  - Framework Travel Plan
  - Road Safety Audit
  - Noise Report
  - Air Quality Assessment
  - Sustainability and Energy Statement
  - Environmental Assessment Report
  - Ecological Survey/Bird Hazard Management Plan
  - Arboricultural Assessment and Method Statement
  - Landscape Design Report
  - Drainage Statement
  - Utility Assessment
- 1.9 This application has been very significantly revised in terms of design and layout as a result of negotiations with the applicant. The total number of flats has also been reduced from 44 to 39. These changes were primarily driven by the traffic noise issues affecting the site and the need to mitigate these. As well as a full set of revised plans, the applicant has also submitted a new Acoustic Planning Report, an updated Road Safety Audit, updated ecology, landscaping and arboricultural information, a Design and Access Statement Addendum and revisions to address refuse/recycling collection.

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**PLANNING HISTORY:-**

- 1.10 There is no recent planning history on the application site.
- 1.11 Planning permission for the former ambulance station appears to have been granted by West Sussex County Council around 1970, but further details are not available.

**PLANNING POLICY:-**

National Planning Policy Framework (NPPF)

- 1.12 The updated National Planning Policy Framework (NPPF) published in 2019 states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 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 5 – ‘Delivering a sufficient supply of homes’ emphasises the need for the planning system to deliver a sufficient supply of homes including affordable housing and the need for LPA’s to maintain and monitor the supply of housing against its housing requirement.
  - Section 8 – ‘Promoting healthy and safe communities’ seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible so that crime and disorder and fear of crime do not undermine quality of life and enable and support healthy lifestyles. Planning policies and decisions should promote public safety and take into account wider security (and defence) requirements.
  - Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations. Paragraph 110 states that applications for development should give priority first to pedestrian, cycle and public transport movements, address the need of people with disabilities in relation to all transport, create safe, secure and attractive places avoiding conflict between different transport users, allow for efficient delivery of goods, and access by service and emergency vehicles and be designed to enable charging of plug-in vehicles.
  - Section 11 – ‘Making effective use of land’ states in paragraph 117 that *‘Planning policies and decisions should promote 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’*. The redevelopment of underutilised land and buildings is encouraged, and LPA’s should take a positive approach to alternative uses of currently developed land which is not allocated for a specific purpose to meet identified development needs. Paragraphs 122 and 123 seek to ensure efficient use though achieving appropriate densities on each site.
  - Section 12 - ‘Well designed places’ states that good design is a key aspect of sustainable development and that the planning and development process should achieve the creation of high quality buildings and places. Paragraph 127 states:
    - “Planning policies and decisions should ensure that developments:*
      - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
      - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
      - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

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

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

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

- Section 15 – Conserving and Enhancing the Natural Environment. Paragraph 170 recognises the wider benefits from natural capital and ecosystem services, including the economic and other benefits of trees and woodland. It also seeks to minimise impacts on and to provide net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 180 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

### Crawley Borough Local Plan 2015-2030

1.13 The following policies from the Crawley Borough Local Plan (adopted December 2015) are most relevant to the proposal.

- Policy SD1 (Presumption in favour of Sustainable Development) in line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.
- Policy CH2 (Principles of Good Urban Design) states that in order to assist in the creation, retention or enhancement of successful places. Development proposals will be required to:
  - “(a) respond to and reinforce locally distinctive patterns of development and landscape character and to protect and/or enhance heritage assets,*
  - (b) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas,*
  - (c) create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society including disabled and elderly people,*
  - (d) make places that connect with each other and are easy to move through,*
  - (e) provide recognisable routes, intersections and landmarks to help people find their way around,*
  - (f) consider flexible development forms that can respond to changing social, technological and economic conditions,*
  - (g) 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 required to make a positive contribution to the area; be of a high quality design, 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 CH4 (Comprehensive Development and Efficient Use of Land) requires development proposals to use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.

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- 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. New dwellings should, as a minimum, meet the nationally described space standards in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings. Residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements.
- Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- Policy CH7 (Structural Landscaping) states that these areas of soft landscaping that make an important contribution to the town and its neighbourhoods, in terms of character and appearance, structure, screening or softening, are identified on the Local Plan Map. Development proposals that affect this role should demonstrate the visual impact of the proposals and should protect and/or enhance structural landscaping where appropriate.
- Policy CH8 (Important views) requires that the important views identified on the Local Plan Proposals Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The site is within the Long Distance View Splays from Tilgate Park and Target Hill.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs, ensuring that town-cramming or an unacceptable impact on the planned character or neighbourhoods or residential amenity do not result.
- Policy H3: Future Housing Mix. All housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme. However, consideration should be given to the evidence established in the Strategic Housing Market Assessment and its updates for market housing needs and demand in Crawley.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. The council will expect a minimum of 70% of the affordable housing to be Affordable Rent or Social rent where other forms of subsidy exist, and up to 30% intermediate rent. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first-time buyers. These targets apply unless evidence is provided to show that they cannot be supported from a viability perspective and where the development meets a demonstrable need.
- Policy ENV1 (Green Infrastructure) states that Crawley's multi-functional green infrastructure network will be conserved and enhanced through the following measures:
  - Development which protects and enhances green infrastructure will be supported.
  - Development proposals should take a positive approach to designing green infrastructure, utilising the council's supplementary planning documents to integrate and enhance the green infrastructure network.
  - Proposals which reduce, block or harm the functions of green infrastructure will be required to be adequately justified, and mitigate against any loss of impact or as a last resort compensate to ensure the integrity of the green infrastructure network is maintained.
  - The strategic green infrastructure network is afforded the highest protection due to its high value from existing or identified potential multiple functions, for example as recreation, routeways, access to the countryside, wildlife and climate mitigation.
  - Proposals should maximise the opportunity to maintain and extend green infrastructure links to form a multi-functional network of open space, providing opportunities for walking and cycling and connecting to the urban/rural fringe and the wider countryside.
  - Larger proposals will be required to provide new and/or create links to green infrastructure where possible.
- Policy ENV2 (Biodiversity) requires all development proposals to incorporate features to encourage biodiversity where appropriate.
- Policy ENV5 (Provision of Open Space and Recreational Facilities) states that the impact of the increased population from residential development on open space and recreational facilities

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across the Borough will be mitigated by the use of the Community Infrastructure Levy which will be used to enhance existing areas of open space. This Policy requires development to make provision for open space and recreational facilities.

- Policy ENV6 (Sustainable Design and Construction) requires all homes to address carbon efficiency and meet the strengthened on-site energy performance standards of Building Regulations. New homes should actively reduce the need to consume energy, seek to utilise renewable and low carbon energy technologies, minimise the amount of carbon emitted throughout the implementation and construction process and ensure any existing embedded carbon onsite is retained and also specifically achieve BREEAM excellent for water and energy credits where viable.
- Policy ENV7 (District Energy Networks) requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- 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 ENV11 (Development and Noise) advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.
- Policy IN1: Infrastructure Provision. 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. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed and connected to high quality communications infrastructure.
- Policy IN3 (Development and Requirements for Sustainable Transport) advises that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network. Developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety.
- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle standards.

## Draft Crawley Borough Local Plan 2021-2037

1.14 The Local Plan Review 2021-2037 was published for Regulation 19 consultation on 6 January 2021, with a consultation period running until at least 30 April 2021. Limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy SD2: Enabling Healthy Lifestyles and Wellbeing
- Policy CL1: Neighbourhood Principle
- Policy CL2: Making Successful Places: Principle of Good Urban Design
- Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
- Policy CL4: Compact Development - Layout, Scale and Appearance
- Policy CL6: Structural Landscaping
- Policy CL7: Important and Valued Views
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design

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- Policy DD3: Standards for All New Dwellings (including conversions)
- Policy DD4: Tree Replacement Standards
- Policy DD6: Aerodrome Safeguarding
- Policy OS2: Provision of Open Space and Recreational Facilities
- Policy IN1: Infrastructure Provision
- Policy IN2: The Location and Provision of New Infrastructure
- Policy IN3: Supporting High Quality Communications
- Policy H1: Housing Provision
- Policy H3: Housing Typologies
- Policy H4: Future Housing Mix
- Policy H5: Affordable Housing
- Policy GI1: Green Infrastructure
- Policy GI3: Biodiversity and Net Gain
- Policy SDC1: Sustainable Design and Construction
- Policy SDC2: District Energy Networks
- Policy SDC3: Tackling Water Stress
- Policy EP4: Development and Noise
- Policy EP6: External Lighting
- Policy ST1: Development Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

## Supplementary Planning Guidance and Documents

1.15 The Council's following Supplementary Planning Documents and Guidance Notes are also relevant to this application:

- Planning and Climate Change (adopted October 2016) – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.
- Urban Design (adopted October 2016) – With specific reference to Crawley's character, the SPD addresses in more detail the seven key principles of good urban design identified in Local Plan Policy CH2. The principles cover Character, Continuity and Enclosure, Quality of the Public Realm, Ease of Movement, Legibility, Adaptability and Diversity. The document also sets out the car and cycle parking standards for the Borough.
- Green Infrastructure (adopted October 2016) – Sets out the Council's approach to trees, open space and biodiversity. It also includes the justification and calculations for tree replacement and new tree planting under Policy CH6. A contribution of £700 per tree is sought for each new dwelling and to cover net tree loss.
- Developer Contributions Guidance Note (adopted July 2016) Following the introduction of the Community Infrastructure Levy, this guidance note sets out the Council's approach to securing contributions towards infrastructure provision.
- Affordable Housing (adopted November 2017) – This SPD includes further guidance on affordable housing policies within the Local Plan.

## Community Infrastructure Levy

1.16 The Crawley CIL Charging Schedule has been in effect since 17 August 2016 and is relevant to this application as the proposal would create new dwellings.

## **PLANNING CONSIDERATIONS:-**

1.17 The main issues for consideration in determining the planning application are:

- Principle of development
- Design and impact upon the character of the area

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- Standard of accommodation proposed
- Impact upon neighbouring properties
- Highways, parking and servicing
- Noise
- Sustainability
- Ecology and arboricultural issues
- Aviation safety
- Infrastructure contributions and affordable housing

## Principle of Development

- 1.18 The proposal relates to the redevelopment of a site, which currently contains a disused ambulance depot, to form a residential building containing a total of 39 flats. The ambulance service has vacated the site and built a new Make Ready Centre on Faraday Road. That facility is considered by SECAMBS to be better located, particularly to serve Manor Royal and Gatwick Airport, and it also incorporates a Hazardous Area Response Team Unit. SECAMBS is establishing a network of Make Ready Centres and the former ambulance station use is now considered redundant.
- 1.19 The site lies within the Built-Up Area Boundary. It is in a sustainable location for residential development, with a bus stop outside the site, neighbourhood shopping facilities a short walk away in Ewhurst Road and West Green Park also nearby. The town centre boundary is only about 400 metres away and the cinema around 500 metres away.
- 1.20 The proposal would bring the site back into a beneficial use. As the site is not allocated for residential development, it would represent a significant windfall development contributing towards meeting Crawley's housing needs. This would weigh positively in favour of the proposal, provided that the more detailed matters associated with the scheme can be satisfactorily addressed.

## Design and impact upon the character of the area

- 1.21 The proposal has been significantly revised in terms of layout and form since it was first submitted, although many of the original design concepts have been retained. The building is lower (three and four storey) along the Ifield Avenue frontage. The revised scheme has set the building back much further from Ifield Avenue, as the car parking is now located at the front of the building, rather than within the former courtyard. The west side steps up to five storeys and then the rear section adjoining the woodland is six storeys in height.
- 1.22 The building layout now wraps around three sides of a courtyard. The residential entrance to most flats would be through a lobby into the courtyard and then onward to individual residential stair cores. The two cores fronting Ifield Avenue would have dedicated entrances on the frontage. The revisions to the scheme mean that each flat would have a dual aspect living room/dining room/kitchen and every flat would have its main windows facing onto the large landscaped courtyard. The window arrangements would provide an attractive outlook from every flat.
- 1.23 The main proposed material for the walls is brick, in a muted cream/buff colour. Panels of recessed contrasting black brickwork are proposed to add visual interest. The front residential entrances would be screened by perforated brickwork, which would allow views through. The interesting brickwork detailing reflects similar patterns used around Crawley and is in keeping with local characteristics. At upper levels around the roof terraces, curved brick walls would also help to soften the scheme against the woodland. The building would also incorporate sections of green walls, which helps to integrate the proposal with its woodland surroundings. The green walls feature in three full height panels along the Ifield Avenue elevation. The system would provide support for growing plants and features an integral irrigation system. The green walls would add considerable visual interest to the building, as well as providing landscaping and ecological benefits. Further visual interest is added to the building by the use of textured aluminium projecting frames around the main entrance and some window groupings. Within the courtyard, further use is made of the projecting frames around windows. The flats also all have projecting or recessed balconies facing into the courtyard.



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- 1.24 The site is enclosed on two sides by Ewhurst Woods and there are trees on the other boundaries too. The proposed building has been designed to reflect its natural surroundings. As well as the sections of green walls, the building would feature five areas of green sedum roof. These would cover all roof areas not forming roof terraces. The roof terraces themselves would feature landscape planting and allotment beds.
- 1.25 Overall, the proposed building is of a high quality design which draws upon the brickwork characteristics of the surrounding area and would integrate with the woodland through its green walls and roof. It would represent a significant visual improvement to the current nondescript appearance. Subject to materials details and clarification on implementation and maintenance of the green wall, the proposal would be a very positive addition to Ifield Avenue.

### Standard of accommodation proposed

- 1.26 Policies CH3, CH5 and H3 of the Local Plan set out the Council's approach to residential amenity, internal space, private amenity space and achieving a mix of dwelling types and sizes to meet the town's needs.
- 1.27 The proposal would form a mix of one and two bedroom flats, although is heavily focussed on two bedroom units. The building would be divided into five stair cores. Cores A, B and C would contain 27 market units. Cores D and E would contain 12 affordable units (five rented and six shared ownership).
- 1.28 The proposed flats would all comply with the minimum Nationally Described Space Standards, as required by policy CH5. The two one bedroom flats, one private and one affordable, would both have a floor area of 50 sqm. The two bedroom flats would vary in size from 71-81 sqm. As described above, all flats would have a dual aspect lounge/kitchen/dining room. These rooms would benefit from good levels of natural light at differing times of day. All bedrooms would also face onto the central courtyard, as with the through lounges offering a very attractive outlook. The proposed flats are all considered to be of a high standard in terms of internal space, layout and outlook.
- 1.29 Given the nature of the courtyard with the building wrapping around it, there would be some views between the proposed flats and balconies. In most cases these would be angled and the closest direct window to window distance would be around 24 metres. Although this does not meet the policy requirement of 30 metres for a three or more storey scheme, this would affect a limited number of flats and there would be new trees within the intervening courtyard to provide screening. The communal nature of the courtyard means that there would be some views into the proposed flats from shared areas. Officers consider these minor privacy issues to be more than compensated for by the positive character of the courtyard and the benefits that it offers for outlook and safe, quiet amenity space.
- 1.30 One of the benefits of revising the layout to address noise concerns (see below), is a significant improvement to ground level amenity space. At ground level, a communal courtyard would offer around 800 sqm of communal amenity space, including play provision for children. The courtyard space would be overlooked by all the flats, free from traffic and would offer a safe and secure area for children. The courtyard would be open at its eastern end and, given its size and the lower building height on the south elevation, should gain good levels of sunlight during the day. The courtyard would be enhanced by views towards the woodland to the east and north.
- 1.31 Amenity space within the scheme would also be provided in other ways. The proposed seven ground floor flats would all have dedicated private patio areas within the central courtyard. Subject to appropriate boundary treatment, these patios would help to ensure that the ground floor flats have defensible space and an appropriate level of privacy. On the upper floors, every flat would have dedicated private amenity space through either a projecting or recessed balcony. The projecting balconies would all meet the Urban Design SPD requirement of 5 sqm. Three flats on the first, second and third floors would have recessed balconies of around 3.5 sqm. Cores A (serving twelve flats) and B (serving six flats) would have communal roof terraces over their fifth floors and Core C (serving nine flats) would have a roof terrace at fourth floor level. These roof terraces would measure around 150 sqm, 71 sqm and 70 sqm respectively. The site would have inaccessible areas

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to the north, east and west of the block that would serve as a buffer to the woodland whilst still offering visual amenity value. Overall, the scheme is considered to offer a high level of provision of private and communal amenity space.

### Impact upon neighbouring properties

- 1.32 The nearest residential properties are located on the opposite side of Ifield Avenue in Ewhurst Road. Following revisions to address noise concerns, the proposed residential block is now located further away from the Ewhurst Road houses. The nearest window of the proposed building would now be approximately 45 metres from No. 104 Ewhurst Road (west side) and approximately 60 metres from No. 83 (east side). The nearest houses in Ewhurst Road have their main entrances and two first floor windows facing Ifield Avenue, although other windows are located on their elevations fronting Ewhurst Road and their rear gardens. The window to window distances significantly exceed the Urban Design SPD's minimum of 30 metres. The boundary wall of No. 104, intervening trees and the distance of 45 metres would also preclude overlooking to the rear garden of No. 104's rear garden. Any views would also be across a busy road. It is not considered that any significant loss of privacy or overlooking would result.
- 1.33 The development, given its location to the north, distance away and three/four storey height to Ifield Avenue, would not cause any overshadowing of adjoining houses in Ewhurst Road.
- 1.34 To the east of the site are the Crawley Horticultural Society and Labour Supporters Club buildings. These are non-residential and less sensitive to issues such as overlooking. Regardless though, there are a number of substantial trees along the shared boundary. These provide considerable screening. Additional native screening is also proposed along the boundary. The nearest window in the east elevation of the proposed building would be ten metres from the boundary with the Horticultural Society. The rear windows of the same flat would be approximately 32 metres from the side wall of the Labour Supporters Club. The proposed building would lie to the west of the adjoining clubhouses. Although it would be significantly taller than the two clubhouses, the six storey element would be 36 metres from the Labour Supporters Club and the lower three storey element between 15-25 metres from the Horticultural Club. There are a number of substantial protected trees along the boundary, which cause some overshadowing to the two clubhouses. The proposed building would have no significant additional impact.
- 1.35 The application site has woodland to the north and west. No neighbours would be affected in either direction.
- 1.36 Overall, the impact upon neighbouring properties is considered to be acceptable.

### Highways, parking and servicing

- 1.37 The proposed development would retain the existing access from Ifield Avenue to serve a car park for 22 vehicles. Six of the spaces would be electric vehicle charging points. The Borough Council's parking standards seek a total of 57 vehicle parking spaces. Two secure bike stores are proposed at ground floor level on the front of the building. These are shown as providing covered storage for 36 bikes. A further four Sheffield stands are proposed outside to serve up to eight visitor bikes, giving a total of 44 spaces. A total of 81 cycle parking spaces (including five for visitors) are required by the standards in the Urban Design SPD. There appears to be space within the stores to accommodate additional cycles and an update on this will be provided at the committee meeting.
- 1.38 The site is in a sustainable location. There is a bus stop immediately outside the site offering regular services to the town centre and, in the other direction, to Gossops Green and Ifield. There are footpaths and a cycle path along Ifield Avenue leading towards the town centre. The town centre is a short walk away, as are the local shopping facilities in Ewhurst Road, a large park, the cinema, a gym and restaurants/bars. Consequently, it would be easy for residents to access a range of retail, employment and leisure facilities without the need to use a car.
- 1.39 The Local Highway Authority comment that a key question is whether the scheme would *"give rise to obstructive or unsafe parking on the nearby highway network. For the most part, nearby roads*

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*have existing waiting restrictions or are subject to residents parking between certain hours. As such, these measures provide an enforceable means of preventing parking from taking place. There is however a length of Ifield Avenue across the site frontage where there are no restrictions. It would also appear that the bus stops are not subject of any enforceable restrictions. In light of these locations being convenient to the site, there is the concern that overflow parking will take place. The development should therefore be required to fund a Traffic Regulation Order to extend the existing no waiting at anytime restrictions up to the start of the urban clearway in place on the A23 and to make the bus stops enforceable.”*

- 1.40 Subject to the TRO amendment, it is not considered that the proposal would cause dangerous parking in the surrounding area. Parking is already restricted on Ifield Avenue and this would be extended. Some overspill parking may result in some surrounding streets to the south, but parking is not a significant problem in this area. Officers recommend that a Travel Plan is secured by condition to set out measures to encourage residents to use sustainable travel and to help reduce use of the private car.
- 1.41 In terms of servicing, the applicant has submitted tracking diagrams showing access to the site for refuse/recycling collection vehicles. The refuse vehicles would be able to use the front car park for collections and the two bin stores are located at the front of the blocks. In terms of fire service access, vehicles would not be able to enter the courtyard area. The agent has confirmed that the proposal would instead include a wet/dry riser close to the car park (where a fire engine would park) which would serve linked risers within the individual stair cores. Further comments on this have been provided by West Sussex Fire and Rescue Service. This is largely a Building Regulations matter but, given the physical limitations on vehicular access to the courtyard, it is considered appropriate to add a condition requiring details of arrangements in case of fire to be approved.
- 1.42 WSCC Highways have no objection to the proposal, subject to the contribution of £7,418 for the amendment to the Traffic Regulation Order and subject to conditions covering car parking, cycle parking and a Construction Management Plan. Officers also recommend the Travel Plan and fire strategy conditions mentioned above. On the basis of these provisions and given the sustainable location, the proposal is considered acceptable in highways, parking and servicing terms.

## Noise

- 1.43 The originally proposed scheme incorporated two buildings, with a significant gap between them in the south-west corner of the site to allow vehicular access. Unfortunately, this gap also allowed noise from Ifield Avenue and Crawley Avenue to penetrate between and around the buildings. Environmental Health objected to the application on noise grounds due to the impact upon future residents.
- 1.44 Following detailed discussions and negotiations, this significantly revised scheme was submitted. The revisions to the layout eliminated the gap between the two original buildings, by forming a three sided courtyard building. This would create a substantial barrier to the traffic noise. The internal layout was also amended to incorporate dual aspect flats. This allows through living room/kitchen areas which can be ventilated by opening windows onto the courtyard, where noise levels are significantly lower and have sealed windows on noisier facades. Less sensitive rooms and areas, such as stair cores, bathrooms and hallways have been positioned on the noisier facades. All habitable rooms will now benefit from openable windows onto the less noisy facades.
- 1.45 The applicant's acoustic consultant has worked with Environmental Health to reassess noise levels and ensure that the building meets the Council's policy requirements. The revised scheme has reduced noise levels below 66dB  $L_{Aeq,16hr}$  during the day time on all facades facing into the courtyard and below 57dB  $L_{Aeq,8hr}$  at night.
- 1.46 Following submission of the revised scheme and the updated acoustic report, Environmental Health has withdrawn its objection to the proposal. Subject to the submission of further details of mitigation, such as glazing specification and ventilation, as addressed by the condition proposed by Environmental Health, the proposal is now considered acceptable in noise terms.

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### Sustainability

- 1.47 The applicant submitted a Sustainability and Energy Statement with the application. The proposal addresses fabric insulation by proposing a reduction in emissions of 9.00% from the maximum Building Regulation emissions. A communal heating network is not considered to be justified, but 40 x 300W PV solar panels are proposed to be installed in two groups on the roof. This would save around 5,600 kg CO<sub>2</sub> per year and give a total reduction for the scheme of 20.8% on the maximum Building Regulations emissions. The statement also confirm that the development will achieve the enhanced 110 litres of water per person per day. Also of benefit in energy use terms are the revisions to address noise, which have helped to ensure that flats can be naturally ventilated by opening windows, rather than relying on mechanical ventilation. The dual aspect nature of all the flats will also assist with natural light and sunlight, potentially reducing the need for heating and artificial lighting. Subject to conditions requiring implementation of the proposed measures, the scheme is considered acceptable in sustainability terms.

### Ecology and arboricultural issues

- 1.48 The site contains a number of trees and other vegetation. It also adjoins Ewhurst Woods, which forms a large area of deciduous woodland. There is a group Tree Preservation Order covering the group of trees to the front of the existing Ambulance Station. Given the sensitivity of the site, the applicant has submitted a Preliminary Ecological Appraisal and Roost Assessment, together with an Arboricultural Assessment and Method Statement. Following discussions with the Council's ecologist and the revisions made to the scheme, these documents were revised. A Development Biodiversity Impact Calculator has also been provided to assess the ecological net gain from the proposals. This is a tool that Natural England are developing on behalf of DEFRA and, although still being refined, the Council's ecologist is satisfied that it is the most appropriate method to assess net gain at present.
- 1.49 A total of sixteen trees are proposed to be removed from the site. Nine of these are located close to the Ifield Avenue frontage, some of which are covered by the group TPO. These trees have been classified as being five trees of moderate quality, three of low quality and one that is unsuitable for retention. They are clearly visible from Ifield Avenue and do offer visual amenity value. Along the northern boundary, seven trees would be removed. Three are classified as being of moderate quality and four as low quality. These trees are publicly visible, but are viewed against the wider backdrop of Ewhurst Woods.
- 1.50 Although the scheme has been significantly revised, the proposed tree removal remains the same as originally suggested. The Council's Arboricultural officer did not object to the original proposals. He felt that the trees to the rear to be removed did not have strong amenity value and that the replanting scheme along the Ifield Avenue frontage was robust and would offer a net gain in amenity. The revised scheme proposes additional tree planting along the front boundary, increasing this from seven to nine trees. In visual terms, the new tree planting along the site frontage, along with the native hedgerow planting below it, will be positive for people using Ifield Avenue and also provide screening for the proposed car park.
- 1.51 Policy CH6 of the Local Plan covers tree replacement. It seeks one tree per new dwelling created, either through on site provision or payment in lieu (£700 per tree), requiring a total of 39 trees. The policy also requires replacement or payment for any existing trees lost as a result of the development based on the girth of the trees. Taking account of the girth of the trees to be removed gives a requirement for 63 replacements.
- 1.52 By way of tree replacement, the proposed scheme includes eleven new trees to be planted between the building and Ifield Avenue, including nine along the front boundary. A further 36 trees are proposed to be planted within the courtyard. This leaves a requirement for 55 trees to be planted off site. This would trigger a payment of £38,500.
- 1.53 In terms of ecological enhancement, a range of measures are proposed. In accordance with policy ENV2 and the NPPF, the proposal aims to deliver a net gain in biodiversity. In relation to this, a Development Biodiversity Impact Calculator has been used to assess the proposals (using the

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DEFRA Biodiversity Metric 2.0 Calculator Tool). This concludes that a net gain of 5.14% would be achieved by the development proposals, even taking account of the habitat loss caused by the tree removal.

1.54 The areas around the west, north and part of the eastern boundary will be inaccessible to residents. Their retained trees and vegetation will be enhanced by additional native planting. The flat roof areas that are not proposed as roof terraces would form green roofs planted with sedum. Additional native hedgerow planting is proposed on the site boundaries. Other tree planting is proposed within the courtyard and along the site frontage, together with low level shrub planting. Finally, landscaping and allotment planters are proposed for the roof terraces.

1.55 The Council's Ecologist states that the:

*“revised proposals significantly reduce the amount of direct woodland loss with the majority in the northeast corner being retained, but a small amount fringing the northern corner being lost. Whilst this loss of mature woodland cannot be fully compensated for, the proposals include various habitat enhancements including improvements to the remaining woodland within the northeast corner of the site, which should help to provide alternative and enriched habitats for species displaced from the removed portion. Any residual non-compensable impacts will need to be considered alongside other material considerations and weighed against any public benefits of the proposals.*

*The redesign of the scheme, following discussions last autumn, to relocate play area equipment outside of remaining woodland is good to see and will further reduce woodland impacts by avoiding direct loss of habitat and indirect trampling pressure on understorey as well as allowing the opportunity for additional planting.*

*Other habitats enhancements as illustrated on the planting strategy drawings and described in the net gain letter make a positive general contribution to the biodiversity of the site, meeting the objectives of local plan policy ENV2 and the NPPF for enhancement.”*

1.56 The loss of the small woodland area in the north west corner is unfortunate. However, the applicant's ecology report states that this area appears to have been historically cleared. It is *“currently in a moderate condition due to lacking complete canopy cover, diversity in age and height of the trees, and diversity in the understory shrub layer.”* The area in the north east corner, which will be retained, enhanced and inaccessible to residents, is a *“well-established woodland ... in a ‘Fairly Good’ condition given the established canopy, variety of tree age groups and a well-established understory layer of primarily wood anemone.”*

1.57 As well as the retention of the area to the north east of the site, which the Council's Ecologist welcomes, the scheme proposes a range of other ecological enhancements. These include the native tree planting (including alder, birch and oak), hedgerow planting (including hawthorn, beech and blackthorn) including along the front boundary and within the site, ecological woodland edge planting (such as hawthorn, dog rose and holly) in areas along the north, east and west boundaries and the sedum roof. These will considerably enhance the site in ecological terms and add diversity to this woodland area.

1.58 The ecology work has also assessed the site for protected species. Bats do use the woodland, but there is no evidence that they roost in the disused buildings or any of the trees. The site is not considered likely to support Great Crested Newts, dormice or reptiles. It may be used by badgers, but there are no setts or latrines on the site. It is likely to be used by nesting birds, so any tree works will need to be undertaken in an appropriate way. The proposals to create inaccessible areas to the north, east and west of the proposed building, along with new native planting in these areas, is likely to enhance the site's suitability as a habitat for animals. The additional screening provided by the building will also reduce noise levels within part of the adjoining Ewhurst Woods. The Council's Ecologist is satisfied that impact upon protected species can be avoided or mitigated using the measures set out in the ecology report.

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- 1.59 In conclusion, the proposal would involve the loss of trees, some of which form an extension into the site of the adjoining woodland. However a detailed and wide ranging mitigation and enhancement scheme has been proposed.

### **Aviation safety**

- 1.60 NATS have confirmed that they have no safeguarding objection to the proposal. GAL Safeguarding also has no objection subject to the agreement and implementation of a Bird Hazard Management Plan. This has subsequently been progressed by the applicant. GAL Safeguarding has confirmed that the revised BHMP is acceptable. Its implementation can be secured by condition. The proposal is therefore considered acceptable in aviation safety terms.

### **Infrastructure contributions and affordable housing**

- 1.61 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need.
- 1.62 The original scheme proposed 40% affordable housing within a development of 44 flats. The revisions to address noise concerns have reduced the number of units to 39. The applicant is now offering twelve affordable housing units, which represents 30.8% of the total number. These would include five rented flats and seven shared ownership. The applicant has held detailed discussions with a Registered Provider and hopes to secure their approval later this month.
- 1.63 The scheme does not achieve the full 40% policy requirement. The applicant has submitted a viability statement to justify the reduced level. This has been reviewed by the Housing Enabling and Development Manager, who has also discussed possible alternatives with the applicant. Following these detailed discussions, the Housing Enabling and Development Manager has confirmed that he accepts the applicant's viability statement and feels that the provision of affordable housing at this level is acceptable for this scheme. He is also pleased to see specific interest from a housing association in taking on the affordable units and recommends that the offer from the applicant be accepted.
- 1.64 Policy IN1 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will seek to implement a Community Infrastructure Levy (CIL). The Crawley CIL Charging Schedule has been in effect since 17 August 2016 and is relevant to this application for new residential units. The charge for residential within the borough-wide zone is £100 per sqm subject to indexation. Should planning permission be granted, an informative can be attached to the decision notice to inform that this development constitutes Community Infrastructure Levy 'CIL' liable development which is a mandatory financial charge on development.
- 1.65 The proposal would involve the creation of 39 new residential units and may trigger off-site contributions towards children's/youth play, amenity green space and allotments, although considerable open space provision is made within the site. Final comments are awaited from the Countryside & Open Space Officer and an update will be provided at Planning Committee.
- 1.66 As set out above, the proposal also triggers a contribution towards off site tree planting. Policy CH6 of the Local Plan covers tree replacement. It seeks one tree per new dwelling created, either through on site provision or payment in lieu (£700 per tree), requiring a total of 39 trees. The policy also requires replacement or payment for any existing trees lost as a result of the development based on the girth of the trees. Taking account of the girth of the trees to be removed gives a requirement for 63 replacements.

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1.67 The Air Quality Management Officer seeks mitigation measures to a value of £12,287. These can probably be delivered on site though features such as EV vehicle charging and solar PV panels. The TRO contribution will also need to be secured.

### **CONCLUSIONS:-**

6.1 The scheme would make a positive windfall contribution towards Crawley's general and affordable housing needs. The proposal is of high design quality and would significantly enhance the appearance of the site from Ifield Avenue. The building would have no significant impact upon neighbouring properties. The proposal is considered acceptable in highways and parking terms, subject to a TRO. The proposed tree loss is unfortunate, but a significant replanting and ecological enhancement scheme is proposed. The enhancements will add diversity, protect the key woodland area of the site and provide a buffer to the adjoining woods. Overall, the scheme would represent a very positive addition to the streetscene and is recommended for approval.

### **RECOMMENDATION RE: CR/2020/0274/FUL**

**PERMIT**, subject to a S106 agreement to secure:

- A financial contribution of £7,418 for the Traffic Regulation Order
- A financial contribution of £12,287 or equivalent on site mitigation measures to address the air quality impacts
- A financial contribution of £38,500 towards off site new and replacement tree planting.
- 12 affordable housing units (5 rented and 7 shared ownership)

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. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters,
  - the anticipated number, frequency and types of vehicles used during construction,
  - the method of access and routing of vehicles during construction,
  - the parking of vehicles by site operatives and visitors,
  - the loading and unloading of plant, materials and waste,
  - the storage of plant and materials used in construction of the development,
  - the erection and maintenance of security hoarding,
  - the erection of fencing to protect trees,
  - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders),
  - details of public engagement both prior to and during construction works.REASON: In the interests of highway safety and the amenities of the area in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.  
REASON WHY PRE-COMMENCEMENT: A Construction Management Plan is required pre-commencement because the potential impacts upon highway safety and local residents that the Plan would mitigate could occur from the beginning of on-site activity and preparatory work.
4. No development shall take place until a scheme, in the form of a site specific dust management plan, to control the emission of dust from the construction works at the site has been submitted to and

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approved in writing by the Planning Authority. The approved scheme shall have reference to the IAQM's Construction Dust Guidance (Guidance on the assessment of dust from demolition and construction (2014) and Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites (2018) and be fully implemented throughout the duration of construction works until completion of the development.

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

REASON WHY PRE-COMMENCEMENT: A Dust Management Plan is required pre-commencement because the potential impacts of dust upon local residents that the Plan would mitigate could occur from the beginning of on-site activity, preparatory work and demolition.

5. No above ground construction shall be carried out unless and until a schedule of materials and finishes, together with samples of such materials and finishes, to be used for external walls and roofs of the development hereby permitted have been submitted to and approved by the Local Planning Authority.

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

6. The building hereby approved shall be constructed in strict accordance with the land levels and overall building height specified on the approved drawings and in other documents submitted with the application 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 visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

7. No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to the South, West or East elevations of the development hereby approved unless details have been submitted to and approved 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 and the Urban Design SPD.

8. Development should not commence until finalised detailed surface water drainage designs for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus 40% for climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event.

REASON: To prevent the increased risk of flooding and in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

REASON WHY PRE-COMMENCEMENT: Details regarding drainage and SUDS details are required pre-commencement because they are likely to involve below ground works that may be carried out at a very early stage in the construction process.

9. Development shall not commence until full details of the maintenance and management of the SUDS system is set out in a site-specific maintenance manual and submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented and maintained in accordance with the approved details.

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

REASON WHY PRE-COMMENCEMENT: Details regarding drainage and SUDS details are required pre-commencement because they are likely to involve below ground works that may be carried out at a very early stage in the construction process.

10. No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of 5 metres or such distance as may be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground level shall be neither raised nor lowered



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and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

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

REASON WHY PRE-COMMENCEMENT: Tree protection measures must be agreed and installed to protect important landscaping in and around the site prior to any site works taking place which could result in damage.

11. No above ground development shall take place until the following details have been submitted to, and approved by, the Local Planning Authority:
  - long-term management proposals to ensure appropriate maintenance of woodland and other naturalistic habitat areas (which may be combined with more formal landscape maintenance matters in an integrated Landscape and Habitat Management Plan); and
  - a concise checklist (for use on site) of avoidance and mitigation measures to cover protected species;The approved details shall be implemented in full and maintained thereafter unless otherwise approved in writing by the Local Planning Authority.

REASON: To prevent loss of, and contribute to a net gain in, biodiversity and to ensure a high quality landscaping scheme in accordance with policies CH3 and ENV2 of the Crawley Borough Local Plan 2015-20309 and the relevant parts, including paragraph 175, of the National Planning Policy Framework.
12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
13. The Bird Hazard Management Plan shall be implemented as approved, upon completion of the roofs and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: It is necessary to manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
14. No part of the development shall be first occupied until the covered and secure cycle parking spaces shown on the approved drawings have been fully provided and made available for use by residents.

REASON: To encourage sustainable travel options and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030 and the parking standards set out in the Urban Design Supplementary Planning Document.
15. The building shall not be occupied until the parking spaces, manoeuvring and turning facilities shown on the submitted plans have been provided and constructed and a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The areas of land so provided shall not thereafter be used for any purpose other than the parking, manoeuvring and turning of vehicles and the development shall be operated in accordance with the Parking Management Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways, that the spaces are allocated and managed for the benefit of all residents and in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
16. No part of the development shall be first occupied until a Travel Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall

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thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

REASON: To encourage and promote sustainable transport and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.

17. The noise level outside any opening window to a noise sensitive habitable room shall not exceed the Unacceptable Adverse Effect Level as defined in policy ENV11 of the Crawley Borough Local Plan 2015-2030 unless otherwise agreed in writing by the Local Planning Authority. The Unacceptable Adverse Effect Level in ENV 11 is considered to occur where noise exposure from transport sources is above 66dB LAeq,16hr and 57dB LAeq,8hr at night.

REASON: To protect the amenity of future residents against potential noise disturbance arising from traffic on Ifield Avenue and Crawley Avenue in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the National Planning Policy Framework.

18. (1) Before any above ground development takes place, a scheme shall be submitted to and approved in writing by the Local Planning Authority to protect the site and dwellings against the noise from Crawley Avenue and Ifield Avenue. The noise mitigation scheme shall demonstrate that the development is able to achieve:

(a) A noise level within any (unoccupied) domestic living room (including kitchen/diners and open plan studio flats) or bedroom, with windows open, of no more than 35 dB LAeq,16hr (between 0700 and 2300 - day) and no more than 30dB LAeq,8hr (between 2300 and 0700 - night);

(b) A maximum noise level within any (unoccupied) domestic bedroom (or studio flats), with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700; and

(c) road traffic noise level in any external amenity areas of no more than 50dB LAeq,16hr. Where this standard cannot be achieved despite all potential mitigation being carried out, a level of no more than 55dB LAeq,16hr will be acceptable for the whole or a proportion of the private amenity area, the details of which are to be agreed with the Local Planning Authority.

(2) Where the standards in (a) and/or (b) in paragraph (1) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which natural and if proved necessary mechanical ventilation will be provided to adequately deal with summer overheating.

(3) After completion and prior to occupation, a survey involving the measurement of the effectiveness of the scheme, shall be undertaken. The survey shall select representative examples of dwelling types in agreement with the Local Planning Authority and identify the level of compliance to the scheme. A written report of the findings, identifying the level of compliance shall be submitted to the Local Planning Authority within one month of the survey completion. No part of the development can be occupied where compliance has not been achieved in full.

(4) Where a dwelling does not comply with the standards in paragraph (2) sections (a) and (b), the applicant shall submit a scheme of remedial works for approval by the Local Planning Authority, including a programme for the implementation of the remedial works. The approved scheme for that dwelling must be implemented in full as agreed prior to occupation of that dwelling.

(5) No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.

(6) The approved scheme must be implemented in full and maintained for the lifetime of the building. Any amendments to the scheme or alterations to the windows or ventilation must be agreed with the Local Planning Authority in advance on an application on that behalf.

REASON: To protect the amenity of future residents against potential noise disturbance arising from traffic on Ifield Avenue and Crawley Avenue in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the National Planning Policy Framework.

19. Prior to the first occupation of the flats hereby approved, the outdoor landscaped roof terraces and the ground level outdoor amenity areas shall be fully implemented and made available for use by residents. The terraces and amenity space areas shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.

REASON: To create a high quality residential environment an adequate amenity space for future residents and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

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20. The development shall be implemented in strict accordance with the details set out in the Sustainability and Energy Statement dated 26 March 2020 unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of environmental sustainability in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.
21. The residential units shall not be occupied until details have been submitted to and approved in writing by the Local Planning Authority to demonstrate that each unit shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption.  
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.
22. The residential units shall not be occupied until the proposed solar PV panels set out within the Sustainability and Energy Statement have been installed and made operational.  
REASON: In the interests of sustainability and reduced carbon emissions in accordance with Policy ENV6 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

## INFORMATIVES

1. The water efficiency standard required under condition 21 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015) at Appendix A paragraph A1.
2. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com). The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)
3. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

4. 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](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

## PREVIOUS REPORT TO PLANNING COMMITTEE

5. 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](http://www.crawley.gov.uk/cil), email [development.control@crawley.gov.uk](mailto: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.
6. A formal application for connection to the water supply is required in order to service this development. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex BN13 3NX (Tel. 0330 303 0119). Website: [southernwater.co.uk](http://southernwater.co.uk) or by email at [SouthernWaterPlanning@southernwater.co.uk](mailto:SouthernWaterPlanning@southernwater.co.uk).

### 1. NPPF Statement

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

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

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## Crawley Borough Council

### Minutes of Planning Committee - Monday, 26 April 2021

#### 8. Planning Application CR/2020/0274/FUL - Ambulance Station, Ifield Avenue, West Green, Crawley

##### Disclosures of Interest

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Hart	Planning application CR/2020/0274/FUL – Ambulance Station, Ifield Avenue, West Green, Crawley (Minute 8)	Personal Interest – Secretary of Ewhurst Wood Sports and Social Club (a consultee on the application that did not provide a response)

The Committee considered report [PES/362e](#) of the Head of Economy and Planning which proposed as follows:

Demolition of existing ambulance centre and erection of 39 flats with associated parking and amenity space.

Councillors Ascough, A Belben, Jaggard, Purdy, and P Smith declared they had visited the site.

The Principal Planning Officer (HW) provided a verbal summation of the application, which consisted of one block of flats and 22 car parking spaces with amenity space in the form of a central courtyard and roof terraces. The Officer updated the Committee that further discussions with the applicant had led to amendments to the recommendation, which sought to delegate authority to the Planning Officer for amendments to noise conditions and to agree the final refuse and recycling store layout, as well as elevation detailing. There had also been minor amendments to the wording of condition 13 and informative 2 since the publication of the report.

In line with the Council’s Virtual Committee Procedure Rules, two statements submitted in regard to the application were read to the Committee.

A statement from the applicant, Tkei Homes, highlighted matters in support of the application including:

- The ecological elements of the building’s design; including an internal courtyard/green space, green walls, and roof terrace. The existing woodland to the north east of the site was to be retained.
- The provision of 12 affordable housing units, which had been proposed following appraisals and discussion with the Local Planning Authority.
- The building had been designed to take into consideration noise, ecology, and arboriculture issues, and for its appearance to complement the local streetscene.

A statement from Ian Harrison, a neighbour of the site, highlighted matters in objection to the application including:

- Objections not to the building itself, but to the proposed number of car parking spaces. The provision of 22 spaces for 39 flats was insufficient as each flat occupier could own at least one car.
- Possible crowding caused by future occupiers parking on nearby streets.
- A suggestion that the existing pedestrian crossing be moved and traffic lights be installed at the site’s exit on to Ifield Avenue – further traffic joining an already busy road system could be dangerous.

The Committee then considered the application. General support was expressed for the design and appearance of the building, the proposed amenity space, and the inclusion of solar panels. In response to a question about the possibility of unauthorised access to the bicycle storage area via the perforated walls, the Planning Officer suggested that further details could be sought from the applicant to confirm that the design did not allow for this.

Committee members discussed the development's proposed access. It was recognised that a balance needed to be sought between retaining a safe pedestrian crossing, ensuring efficient access to the site, and preventing further traffic on busy surrounding roads. WSCC as the Highways authority had no objection to the site and had not requested changes to the road system or pedestrian crossings. Concerns were also raised about the provision of parking spaces, which was lower than required by the Local Planning Authority's parking standards. This was alleviated, however, by the site's sustainable location.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation:

Councillors Ascough, A Belben, Hart, Irvine, Jaggard, Mwagale, Pickett, Purdy, Rana, and P Smith (10).

Against the recommendation:

None.

Abstentions:

None.

## **RESOLVED**

Permit subject to a Section 106 agreement as detailed in report PES/362e, and the conditions and informatives set out in the report including amended condition 13 and amended informative 2 as follows:

Condition 13: *The Bird Hazard Management Plan dated April 2021 shall be implemented as approved, upon completion of the roofs and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.*

*REASON: It is necessary to manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.*

Informative 2: *Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email: [lgwcranes@gatwickairport.com](mailto:lgwcranes@gatwickairport.com). For further details please refer to CAP 1096 'Guidance to Crane Operators on Aviation Lighting and Notification' available at [www.caa.co.uk](http://www.caa.co.uk).*

and delegate authority to Planning Officers to finalise the wording of the conditions relating to noise and to agree the scheme's detailing of the refuse and recycling store and related elevation detailing.



# Agenda Item 6

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 4 December 2023  
REPORT NO: PES/447(b)

**REFERENCE NO: CR/2021/0571/FUL**

**LOCATION:** [LAND TO THE FRONT OF EWHURST PLACE, IFIELD DRIVE, IFIELD, CRAWLEY](#)  
**WARD:** Ifield  
**PROPOSAL:** ERECTION OF 4 X THREE BEDROOM SEMI-DETACHED DWELLINGS WITH SURROUNDING LANDSCAPING. FORMATION OF TWO NEW VEHICLE ACCESS DRIVES OFF IFIELD DRIVE WITH ASSOCIATED GARAGE AND ON-SITE PARKING

**TARGET DECISION DATE:** 22 September 2021

**CASE OFFICER:** Mrs J. McPherson

**APPLICANT'S NAME:** Location RH10 Ltd

**AGENT'S NAME:**

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

Drawing Number	Revision	Drawing Title
9166		Levels / Survey
11250_100	P2	Access Proposals
1005	P3	Proposed Streetscene
1002	P4	Plots 1 and 2 Plans and Elevations
1004	P3	Materials and Outbuildings
1001	P4	Proposed Site
1003	P4	Plots 3 and 4 Plans and Elevations
1000	P3	Location and Block Plan
2212-01		Proposed Landscaping Plan

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

- |     |                                                     |                                                                                                                                                                                              |
|-----|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.  | WSCC Highways (including re-consultation)           | No objection subject to conditions and informatives                                                                                                                                          |
| 2.  | Historic England                                    | No specific comments but recommend the views of specialist conservation and archaeological advisors are sought.                                                                              |
| 3.  | Thames Water                                        | No comments received.                                                                                                                                                                        |
| 4.  | CBC Planning Arboricultural Officer                 | Objection to loss of trees and adequacy of mitigation.                                                                                                                                       |
| 5.  | CBC Contaminated Land Officer                       | Advised no comments to make.                                                                                                                                                                 |
| 6.  | CBC Refuse & Recycling Team                         | No objection.                                                                                                                                                                                |
| 7.  | Southern Water Ltd                                  | Advice provided.                                                                                                                                                                             |
| 8.  | CBC Energy Efficiency & Sustainability              | No objection subject to conditions                                                                                                                                                           |
| 9.  | Listed Building Officer (including re-consultation) | Objection – the loss of the tree belt would result in less than substantial harm and as such would not preserve or enhance the significance of the designated heritage asset (Ewhurst Place) |
| 10. | Archaeology Officer (including re-consultation)     | No objection subject to condition                                                                                                                                                            |
| 11. | Ecology Officer                                     | No objection subject to conditions                                                                                                                                                           |

## **NEIGHBOUR NOTIFICATIONS:-**

14 & 32 Ifield Drive; Dower Cottage; Ewhurst Place.

# Agenda Item 6

## **RESPONSES RECEIVED:-**

None.

## **THE APPLICATION SITE:-**

- 1.1 The application site is an area of land which forms part of the front (southern) curtilage of Ewhurst Place which is a grade II\* listed moated building located immediately to the north. The site is located between Ifield Drive and a swimming pool (within the garden area of Ewhurst Place) and is bounded to the east by 14 Ifield Drive and to the west by an access drive which provides vehicular access to Ewhurst Place and Dower Cottage (to the north west). Ewhurst Place is not readily visible from public views along Ifield Drive as there is a substantial tree screen restricting the views from the south which runs across the application site and continues eastwards behind the rear gardens of nos 2-14 Ifield Drive.
- 1.2 The site itself is relatively level and is intersected towards its northern boundary by a tree belt which delineates a historic boundary to Ewhurst Place. To the south the land is rough grassland/ scrub and is enclosed by a 1m high close boarded fence along the access drive and adjacent to Ifield Drive with a conifer and hedge boundary to the east. A small section of the site beyond the tree boundary is currently part of the formal garden to Ewhurst Place. It is laid with grass and shrubs and slopes gently down towards the edge of the swimming pool.

## **Site Constraints**

- 1.3 The tree belt running roughly east / west across the site is protected by the 'The Crawley Borough Order Ewhurst Place No. 1' Tree Preservation Order (Group A1) 08/2021 which was served in November 2021 following submission of the planning application in July 2021. The TPO which covers approximately 23 trees was confirmed by the Planning Committee on the 25<sup>th</sup> April 2022.
- 1.4 According to the CBC Mapping the 'Ewhurst Place Medieval Moated Site ' Archaeological Area intersects the northern part of the application site extending from Ewhurst Place to its southern its southern edge located along the east /west tree belt. It should be noted that the Historic England mapping shows the Scheduled Monument boundary for the site located to the north of the application site with its southernmost boundary extending along the southern edge of the moat.
- 1.5 Ewhurst Place to the immediate north of site is a Grade II\* listed moated building (late C16 or early C17 L shaped 2 storey timber framed house) and 'The Bridge' at Ewhurst Place crossing the moat is also Grade II listed structure in its own right.
- 1.6 There is linear area of filled ground extending from the moat to the west of the swimming pool, under the tree belt and that kinks back towards Ifield Avenue intersecting the west of the site. It is marked on the Council mapping as 'unknown filled ground'.
- 1.7 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.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Planning permission is sought for the erection of 2 pairs of 3 bedroom (5 bedspace) semi-detached houses. The plots would be aligned fronting onto Ifield Drive, set broadly in line with the properties to the immediate east and west. Each pair of semis would share an access onto Ifield Drive.
- 2.2 The houses would be 2 storey and of a design and materials to match the surrounding properties immediately fronting Ifield Drive. The floor layouts would be handed and the two middle plots would

# Agenda Item 6

have single integral garages to the sides. All houses would have 2 parking spaces each. A private garden for each dwelling would be provided and the rear garden boundaries would be 'squared off' to run parallel with the rear elevation of the buildings and would be delineated by a 1.8 m high close boarded fence.

2.3 The following in documents were submitted to accompany the application:

- Design and Access Statement
- Affordable Housing Statement
- Sustainability Statement
- Arboricultural Impact Statement / Tree Rebuttal letter (Dec 21) / Revised Arboricultural Impact Assessment (August 22)
- Transport Report
- Preliminary Ecological Appraisal /Ecological Assessment
- Heritage Statement (May 21) / Heritage Rebuttal letter (Dec 21) / Heritage Rebuttal letter (Feb 22) / Revised Heritage Statement (July 22) / Heritage Rebuttal Statement (January 23)
- Archaeological Desk-based Assessment (Nov 21)
- Water Neutrality Report (July 23) with Sanitary and Appliances Information

## **PLANNING HISTORY:-**

### Application Site

3.1 There is one planning record relating to the substantive southern part of the application site. In 2006 an application for the 'Frontage Land at Ewhurst Place, Ifield Drive', (the land south of the tree belt), for two detached houses ref. CR/2006/0189/OUT was withdrawn. The principle concern with this application was identified as the acceptability of site access and traffic increase.

### Ewhurst Place

3.2 The following works have taken place within the immediate curtilage of the Ewhurst Place building as seen on site today including:

- CR/1995/0552/LBC – Listed building consent to replace existing wooden garage with a concrete garage – Consented December 1995
- CR/185/64 – Proposed implement shed for storage of garden equipment – permitted April 1964

### Surrounding New Town Properties

3.3 The new town neighbourhood of Ifield has developed around Ewhurst Place since the designation of Crawley New Town in 1947. The properties in Ardingly Close (except no 7), numbers 2-50 Ifield Avenue (evens) and 12 and 14 Climping Road were developed under application reference CR/418/1964. This planning permission from August 1964 was for 60 dwellings. The current vehicular access to Ewhurst Place from Ifield Drive, which was a new road serving this wider development, would have been provided around this time.

### Dower Cottage

3.4 In July 1967 planning permission was granted for dwelling to the west of Ewhurst Place (Reference CR/201/1967). A revised house design was submitted and approved in April 1968 (Reference CR/208//1968), this latter permission was implemented and the property is known Dower Cottage.

### 7 Ardingly Close (and surrounding land between 5 to 27 Ardingly Close)

3.5 In November 1965 permission was granted for a 'staff dwellinghouse' on a triangular piece of land to the east of Ewhurst Place . In March 1966 (Reference CR/20/66) Approval of Reserved Matters to outline application CR/584/65 was given. This property is 7 Ardingly Close.

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- 3.6 In 1990 two applications were submitted for redevelopment of 7 Ardingly Close, including a strip of land between numbers 5 and 27 Ardingly Close . Both applications proposed demolition of the bungalow and its replacement with flats. Application CR/655/90 for 25 flats was refused by the Council, while application CR/656/90 was not determined. A joint appeal for both applications was dismissed in October 1990 the Planning Inspector ruling that *'the effect on the setting of the listed building of Ewhurst Place would be significant to a harmful degree which justifies refusal of planning permission'*.

## PLANNING POLICY:-

### Planning (Listed Buildings and Conservation Areas) Act 1990

- 4.1 Section 66(1) - *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"*.  
Section 72(1) - *"In the exercise, with respect of any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area"*.

### The National Planning Policy Framework (September 2023):

- 4.2 The National Planning Policy Framework (NPPF) states that the purposed of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 states that achieving sustainable development means the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are:  
a) an economic objective – "to help build a strong, responsive and competitive economy..."  
b) a social objective – "to support strong, vibrant and healthy communities...."  
c) an environmental objective- "to contribute to protecting and our enhancing our natural, built and historic environment..."
- 4.3 **Section 5** emphasises the need for the planning system to deliver a sufficient supply of homes including affordable housing.  
**Section 8** seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction and are safe and accessible.  
**Section 9** sets out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations.  
**Section 11** - 'Making effective use of land' states in para 119 that *"Planning policies and decisions should promote 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"*. The redevelopment of underutilised land and building. is encouraged.
- 4.4 **Section 12** - 'Well designed places' states that good design is a key aspect of sustainable development and that the planning process should achieve the creation of high quality buildings and places. Para 130 states:  
*Planning policies and decisions should ensure that developments:*  
a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*  
b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*  
c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*  
d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

# Agenda Item 6

- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development, (including green and other public space), and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Para 131 highlights the important contribution of trees to the character and quality of urban environments as well as their contribution to climate change with existing trees to be retained wherever possible.

- 4.5 **Section 16** – ‘Conserving and enhancing the historic environment’ provides guidance on development proposals that impact on heritage assets. Para 194 states: *‘In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation’*
- 4.6 Paragraph 195 continues *“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”*
- 4.7 Paragraphs 199-208 provide detailed guidance on how the impacts on heritage assets should be considered.

## Crawley Borough Local Plan 2015-2030 (Adopted December 2015)

- 4.8 Policy SD1 (Presumption in Favour of Sustainable Development) is the overarching policy for this plan. Development will be supported when it complements Crawley’s character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the opportunities for sustainable travel. Development will be supported where it respects the heritage of the borough and protects, enhances and creates opportunities for Crawley’s unique Green Infrastructure and accords with the policies and objectives set out in this plan unless material considerations indicate otherwise.
- 4.9 Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- 4.10 Policy CH2 (Principles of Good Urban Design) The policy seeks to assist in the creation, retention or enhancement of successful places in Crawley. In particular development proposals will be required to:
  - (a) *to protect and/or enhance heritage assets,*
  - (b) *create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas,*
  - (c) *create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society including disabled and elderly people,*
  - (d) *make places that connect with each other and are easy to move through,*
  - (e) *provide recognisable routes, intersections and landmarks to help people find their way around,*
  - (f) *consider flexible development forms that can respond to changing social, technological and economic conditions,*
  - (g) *provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs”.*

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- 4.11 Policy CH3 (Normal Requirements of All New Development) All proposals should be based on a thorough understanding of the significance and distinctiveness of the site, be of a high quality in terms of its design, sympathetic to its surroundings, provide a good standard of amenity for future occupants, retain trees which contribute positively to the area, meet its own operational requirements and demonstrate that it addresses the principles included within both 'Secure by Design' and 'Building for Life' criteria.
- 4.12 Policy CH5 (Standards for All New Dwellings) sets out the standards for all new dwellings and states that the minimum size for each dwelling should be based on the Nationally Described Space standards and be capable of adaption though meeting Building Regulations Part M Category 2. Residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements.
- 4.13 Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site however, where the Local Planning Authority agrees this is not feasible or desirable commuted sums will be sought in lieu on a per tree basis.
- 4.14 Policy CH8 (Important views) identifies important views which should be protected. The site is within the long distance view from Tilgate Park.
- 4.15 Policy CH12 (Heritage Assets) states that all heritage assets are a finite resource and all development should ensure their key features or significance are not lost as a result of development. Development proposals affecting a heritage asset should describe the significance of any development assets affected and the contribution made by their setting, the impact of the development and any measures to ensure the asset is respected, preserved or enhanced.
- 4.16 Policy CH15 (Listed Buildings and Structures). Works will be consistent with the character, appearance and heritage value of the Listed Building in line with national legislation, policy and guidance. Any changes must preserve or enhance the design and character of the Listed Building and its setting having regard to its historic significance. Listed Building should be retained.
- 4.17 Policy H1 (Housing Provision) states that Council will positively consider proposals for the provision of housing to meet local need.
- 4.18 Housing policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address local housing needs and market demand.
- 4.19 Policy H4 (Affordable and Low Cost Housing) requires 40% affordable housing from all residential developments. In addition 10% low cost housing is required on developments for 15 or more dwellings. These targets will apply unless evidence can be provided to show that the site cannot support those requirements from a viability perspective and that the development clearly meets a demonstrable need.
- 4.20. Policy ENV1 (Green Infrastructure) advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through various measures including protection, enhancement and integration with new development, mitigating harm and maintaining and extending links where possible, including through larger proposals.
- 4.21 Policy ENV2 (Biodiversity) states that development proposals will be expected to incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features of nature conservation value within and around the development
- 4.22 Policy ENV5 (Provision of Open Space and Recreational Facilities) requires development to make provision for open space and recreational facilities and confirms that the Community Infrastructure Levy will be used to enhance open space to mitigate the impact of increased population.

# Agenda Item 6

- 4.23 Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and achieve BREEAM excellent for water and energy credits where viable.
- 4.24 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.
- 4.25 Policy ENV10 (Pollution Management and Land Contamination) ensures that new development does not increase levels of pollution or hazards and is appropriate to its location. Where a site may be at risk from contaminants or hazardous materials, information must be provided on how the risk will be addressed and pollution treated or removed.
- 4.26 Policy IN1 (Infrastructure Provision) seeks to ensure development will only be permitted where it is supported by the necessary infrastructure on site or through off site mitigation and advises that CIL will be sought through the relevant processes.
- 4.27 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.
- 4.28 Policy IN3 (Development and Requirements for Sustainable Transport) Advises that development should be concentrated in locations where sustainable travel patterns can be achieved.
- 4.29 Policy IN4 (Car and Cycle Parking Standards) sets out that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs assessed against the Council's car and cycle parking standards. For residential development standards are based on the accessibility of the area, the levels of car ownership and size of any new dwellings.

## Draft Crawley Borough Local Plan 2024-2040 - May 2023

- 4.30 The Local Plan 2024-2040 was submitted for examination on 31 July 2023. The examination Hearings commenced in November 2023. Limited weight should therefore be given to the following policies:
- SD1 – Presumption in Favour of Sustainable Development
  - SD2 – Enabling Healthy Lifestyles and Wellbeing
  - CL1 – Neighbourhood Principle
  - CL2 – Making Successful Places – Principles of Good Urban Design
  - CL3 – Movement Patterns, Layout and Sustainable Urban Design
  - CL7 – Important and Valued Landscape and Views
  - DD1 – Normal Requirements of All New Development
  - DD2 – Inclusive Design
  - DD3 – Standards for All New Dwellings (including conversions) –
  - DD4 - Tree Replacement Standards
  - HA1 – Heritage Assets
  - HA4 - Listed Buildings and Structures
  - IN1 – Infrastructure Provision
  - H1 – Housing Provision
  - H3 – Housing Typologies
  - H3b – Densification, Infill Opportunities and Small Sites
  - H4 – Future Housing Mix
  - H5 – Affordable Housing
  - GI1 – Green Infrastructure
  - GI3 – Biodiversity and Net Gain
  - SDC1 – Sustainable Design and Construction
  - SDC4 – Water Neutrality
  - ST1 – Development and Requirements for Sustainable Transport
  - ST2 – Car and Cycle Parking Standards

# Agenda Item 6

- 4.31 Following public consultation in summer 2023 the following policies received only supportive comments or have no significant unresolved objections and there therefore considered to have significant weight. These are:
- 4.32 Policy HA7 (Heritage Assets of Archaeological Interest) which states *“Development proposals in the vicinity of a Scheduled Monument, or any heritage asset with archaeological interest which is demonstrably of equivalent significance (i.e. ‘designated’ archaeological assets), will be expected to preserve or enhance the asset and its setting, including through the protection of the asset from disturbance associated with development activity, and through the avoidance of patterns of movement or land use which may cause harm to, or loss of, the significance of an asset over time. Development should identify and pursue opportunities to better reveal the significance of such assets.”*
- 4.33 The policy requires proposals impacting such assets to be supported with a Heritage Impact Assessment and any harm to, or loss of, the significance of any designated on non-designated archaeological heritage asset involved in a development proposal to be considered in line with national and local policy, according to the significance of the asset and the degree of loss and harm.
- 4.34 Policy IN3 (Supporting High Quality Communications) requires residential development of one unit or more to have provision for gigabit-capable full fibre broadband.
- 4.35 Policy EP3 (Land and Water Quality) seeks to ensure people’s health and quality of life, property and the wider environment will be protected from land contamination.
- 4.36 Policy EP6 (External Lighting) states that development must demonstrate how it will minimise light pollution to as to avoid significant harm to biodiversity and prevent unacceptable sky glow, glare, light spillage and unnecessary energy usage.

## **Other Material Considerations:**

### Green Infrastructure SPD (adopted October 2016) (GISPD)

- 4.37 This document includes a costing of £700 per tree in lieu of on-site planting. The document also links to the Urban Design SPD and in respect of considering landscaping as part of high quality design.

### Planning and Climate Change (adopted October 2016) (PCCSPD)

- 4.38 This sets out a range of guidance to reduce energy consumption, minimise carbon emissions during development, support District Energy Networks, use low carbon or renewable energy sources, tackle water stress, cope with future temperature extremes, deal with flood risk and promote sustainable transport.

### Urban Design (adopted October 2016) (UDSPD)

- 4.39 This document includes further guidance, examples and explanations of the principles of good urban design, public realm design. It also includes guidance on outdoor amenity space standards. The adopted parking standards are contained in Annex 1 of this document, the minimum indicative parking standard for this development is 2-3 spaces per dwelling. Secure cycle parking provision is also specified as 1 space per 1 bed dwelling, 2 spaces for 2 bedroom dwellings and 1 space per 8 dwellings for visitors
- 4.40 The document provides guidance on approaching development within conservation areas suggesting amongst other things that the relevant Conservation Area statement is considered and its recommendations incorporated and reviewing the guidance provided by Historic England.

### Affordable Housing SPD (adopted November 2017) (AHSPD)

- 4.41 This document provides guidance on the requirements of policies H3 and H4 in the Crawley Borough Local Plan and in particular when affordable housing would be sought from residential development.

### Crawley Community Infrastructure Levy Charging Schedule 2016



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- 4.42 The Crawley CIL Charging Schedule is in effect from 17 August 2016 and is also relevant to this application as the proposal would create new dwellings.

## PLANNING CONSIDERATIONS:-

- 5.1 The key planning considerations in relation to this case are discussed under the headings listed below:
- Principle of the development;
  - Heritage impact;
  - Impact on trees and ecology;
  - Building design and impact on the street scene;
  - Adequacy of accommodation for future occupiers;
  - Impact of the development on the amenities of neighbouring properties/occupiers;
  - Transport requirements (highways, parking, servicing, cycles);
  - Sustainability;
  - Ground conditions (contamination);
  - Affordable housing provision and infrastructure contributions;
  - Water neutrality.

### Principle of the Development

- 5.2 The application site forms part of the grounds of Ewhurst Place, a grade II\* moated listed property to the north. The application site is intersected towards its northern side by a belt of trees that mark the boundary between the formal garden of Ewhurst Place, whilst to the south of the trees the land is open grass. The land south of the tree belt appears as a remnant of farmland left undeveloped when Ifield neighbourhood was built around Ewhurst Place. The site lies a relatively short distance away from Crawley town centre and is within the built-up area boundary.
- 5.3 It is considered that the principle of using this curtilage land for residential use could be supported provided the development complies with all other policies in the development plan and in particular policy SD1 which sets out the strategic objectives for development which includes respecting the heritage of the Borough.
- 5.4 The proposal would provide an additional four houses, which would represent a small benefit in terms of housing delivery and helping to meet Crawley's needs. The proposal represents an intensification of existing residential use in a sustainable location within the built-up area and, in principle, it is considered acceptable in planning policy terms.

### Heritage Impact

- 5.5 The NPPF 2023, Annex 2: Glossary defines a 'Heritage Asset' as: '*A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).*' The NPPF2023 Annex 2: Glossary also defines 'Historic Environment' as: '*All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.*'
- 5.6 In this case the application site is immediately to the south of Ewhurst Place which is recorded nationally for its heritage value both in terms of below ground (archaeology) and above ground (historic buildings in their setting). It should be noted that landscaping can form an integral part of that heritage interest.
- 5.7 Historic England advised that CBC should rely on the views of their specialist archaeology and heritage / conservation advisors, both of whom have been consulted in respect of this application.

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## Archaeology

- 5.8 The application site lies to the south of Ewhurst Place, the immediate grounds of which are designated as a Scheduled Monument (as a nationally important Medieval moated Site). The Scheduled Monument boundary extends more generously around the moat to the north, east and west and extends as far as southern bank of the moat along its southern edge. This in effect excludes the southern part of the curtilage which includes the swimming pool. The application site therefore would not encroach the area defined as the Scheduled Monument.
- 5.9 An archaeological desk-based assessment was provided in support of the application which concluded that no known Heritage Assets connected with the nationally important Medieval Moated Site, (or otherwise), are present within the application site boundary, but that there is relatively high potential for previously unknown Heritage Assets to be present given that the site has been relatively undisturbed by past activity.
- 5.10 The CBC Archaeological Advisor (whose advice is limited to below ground archaeological remains only) noted the report's conclusions, and comments *"it is likely that much of the site may have been relatively undisturbed by past activity, and that any archaeological features which may have been present are likely to have survived to some extent. It is therefore likely that any archaeological deposits present within the site will be adversely affected by the new housing development"*. On this basis, further archaeological work would be required to be secured via a pre-commencement condition requiring a Written Scheme of Investigation be agreed. This is likely to take the form of an appropriately scaled trench evaluation to determine the location, extent, character, date, condition, significance and quality of any Archaeological Assets that are and may be present on site and this would inform any mitigation measures, if necessary.

## Heritage Conservation

- 5.11 The application proposes the removal practically all of the 23 trees which form a tree belt extending roughly east-west across the northern portion of the site. These trees while not historic in age and in themselves not of exceptional quality, do delineate an important historic tree or hedge boundary which provides separation between the formal gardens around Ewhurst Place and the land parcel to the south.
- 5.12 The Conservation Officers assessment of the heritage information provided by the applicant, identifies from the various historic maps, that the current tree belt marks an historic boundary to Ewhurst Place from at least 1870 and therefore this tree line is of historic value.
- 5.13 The Conservation Officer further comments:  
*'Whilst this tree belt may have formerly been hedgerow that has been allowed to grow up and may have been added to over the years, it makes a positive contribution to the sense of place and its loss would negatively impact upon the setting of the designated heritage assets, resulting in the loss of an historic boundary, opening up of the land and changing the relationship with the building as a consequence of the relocation of this tree belt further to the north.*

*The Heritage statement suggests that the current trees which have been served with TPO's for their protection were planted in the late 20th century however the report fails to make the assessment that they were planted on the historic boundary between Ewhurst Place and the open fields to the south and as such have failed to address the contribution this boundary makes within assessment of Significance (Setting).*

*It remains the view of the author that the existing tree belt which is representational of an established boundary that informs upon the past use of the land and therefore makes a positive contribution to the designated heritage assets settings. The loss of this tree belt would result in less than substantial harm and as such would not preserve or enhance the significance of the designated heritage asset. This harm would be cumulative to the further harm caused by the development of the parcel of land which would see the encroachment of urbanised form that would subsume the southern views afforded of Ewhurst Place when looking north from the recreation park."*

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- 5.14 It is considered that the Conservation Officers concerns should be afforded considerable weight. Ewhurst Place is currently screened from Ifield Avenue by the tree belt and the presence of the property on the site is only just visible by glimpses of the roof over and through the tree line. The building when viewed from within the tree boundary on approach along the access drive has an attractive landscaped setting of which the application trees form an integral part. The building is experienced in a well landscaped curtilage screened from much of the new development around it.
- 5.15 The application trees form part of a wider tree belt which extends to the (north)east beyond the properties numbered 2-14 Ifield Drive and these trees are visible over the roofs of these properties providing some legibility to the historic boundary behind. These trees contribute to the landscaped setting of the listed building, and it can be seen from the historic mapping that the new town development further east of the application site followed the historic tree boundary which curves slightly northwards with the tree boundary retained around the curtilage of the listed building and a slightly curved fence line provided for the new houses.
- 5.16 It is considered that the loss of the historic tree line would remove this historic boundary feature from the landscape and would form an unnatural straight boundary. It would result in an encroachment of the gardens of the new houses into the historic curtilage of this important Listed building. The loss of loss of the trees would also open up views of Ewhurst Place from the south adversely altering the setting of the building as the proposal would result in the historic building being viewed in the context of more modern built development in the foreground, rather than its current treed setting. While the applicants argue that a new tree boundary would be provided, this could take many years to establish and the loss of the historic boundary would be permanent and irreplaceable.
- 5.17 While the applicants have disputed the importance tree boundary feature, stating that the trees are a more recent addition and that views of the building were afforded from the south in the past, it is considered these are now more important to the setting of the listed building given the other development that has occurred around Ewhurst Place since the 1960's. While it is accepted the current trees along the boundary are maturing and have the scope to grow larger, it is clear from the historic mapping that they are situated on an historic boundary feature (whether it be ditch, hedge or trees) and the loss of this feature would not preserve or enhance the significance of this heritage asset.
- 5.18 It is therefore considered that the loss of the tree screen would result in less than substantial harm and would not preserve or enhance the significance of the heritage asset the harm being cumulative with the development of the land parcel and the encroachment of urban form when viewing Ewhurst Place from the south. The development is therefore considered to be contrary to policies SD1, CH12 and CH15 of the Local Plan and policy HA of the draft Local Plan which should be afforded significant weight along the advice set out in chapter 16 the NPPF 2023
- 5.19 It should be noted that the Conservation Officer did suggest to the applicant that if the tree belt / historic boundary were retained and remained defined, a more limited number of houses could be accommodated on land south of the tree line. This would reduce the number of dwellings on the plot but would overcome the objection to the loss of this feature. The applicant has not chosen to amend the layout.

## Impact on Trees and Ecology

- 5.20 The east / west tree belt is protected by a Tree Preservation Order (TPO) Reference 08/2021. This was served after the application was submitted as the application proposed the loss of all the trees. The TPO covers all the trees on the site for their group amenity value rather than their quality as individual specimens. The trees are highly visible and make a valuable contribution to the street scene. A report was taken to the planning committee in April 2022 to consider objections made to the TPO. After consideration of the objections, the Order was confirmed with an amendment removing the more recently planted hedge boundary (along the eastern side of the site). The main east - west tree boundary was agreed for confirmation. The committee noted historic nature of the boundary was disputed by the objector.
- 5.21 The Council's Arboricultural Officer objects to this application due to the loss of the tree screen and because the replanting proposals would not sufficiently mitigate the trees lost. The original submitted

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proposal was considered to have inadequate space for new trees and there is a poor species choice. There was also concern that the trees would not be able to become substantial enough to replace the specimens lost without conflict with the future occupiers of the gardens. The applicants have sought to address this concern by amending the application site boundary to incorporate some more of the land north of current tree line, but south of the swimming pool into the application site to accommodate more trees. This would allow for more screening to be planted.

- 5.22 The revised Arboricultural Impact Assessment surveyed the trees now subject of the TPO. All but one tree on the application site is proposed to be removed, a loss of approximately 22 trees. The revised planting plan seeks to plant one or two trees in the rear garden of each house and two further trees within the curtilage of Ewhurst Place as mitigation for the loss of the existing tree screen. While these trees would be more generously spaced, a better species choice and would be capable of achieving a greater maturity, the concern still remains about the pressure for future works or to remove the new trees as they mature within the rear gardens, which ultimately could result in the loss of screening between the new dwellings and the listed Ewhurst Place to the north. Overall, the revised planting plan is not considered to be adequate mitigation for the loss of the existing tree belt which has considerable landscape and amenity value.
- 5.23 Further trees are also shown to be planted to the front of the site. The overall number of trees to be planted would not address the tree planting standards set out under policy CH6 which requires 1 tree for each new dwelling and re-provision of any trees lost on at least a 1-1 basis (depending on the size of the tree) or payment in lieu if the required level of on-site planting cannot be achieved. It is therefore considered that the proposed development has an unacceptable impact on the existing tree belt, which cannot be adequately compensated for within the new site layout and due to the re-provision within the rear gardens, there would be pressure in the future for the removal of the new trees. The proposal is therefore considered to be contrary to policies CH2, CH3 and CH6 of the Crawley Borough Local Plan and the advice in the Green Infrastructure SPD.
- 5.24 In terms of ecology, the CBC Ecological advisor has advised there are no biodiversity reasons for refusal subject to securing a biodiversity management plan and ensuring site clearance in accordance with the details provided.

## Building Design and Impact on the Street Scene

- 5.25 Local Plan policies CH2 and CH3 state that all proposals for development must be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, height, massing, layout, details and materials.
- 5.26 The proposed houses would be semi-detached properties and have been designed to complement with the existing nearby new town properties which are also semi-detached in style. The design is considered sympathetic to the street scene along Ifield Drive with floor and ridge levels set to match the properties to the either side and the houses are set roughly in line with the existing building line and orientated to front the street. The detailing and materials are also considered to reflect the new town architecture and would respect the simple design features and architectural proportions of the surrounding buildings.
- 5.27 The development as designed is considered to relate well and would appear visually consistent with the street scene in Ifield Drive. In terms of design and visual appearance in this street scene context it is considered the development would comply with the Local Plan policies listed above.

## Adequacy of Accommodation for Future Occupiers

- 5.28 Policy CH5 of the Crawley Borough Local Plan states that all dwellings must create a safe, comfortable and sustainable living environment, and also sets out the minimum sizes for dwellings, based on the Nationally Described Space Standards. The proposed houses would all be of an identical layout but handed. It would provide three bedroom, five person houses with internal floorspaces of 98 square metres. This would exceed the minimum internal space standard of 93 square metres and the development would therefore accord with Policy CH5 of the Local Plan in this regard.

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- 5.29 The Urban Design SPD seeks 90 square metres of usable external private amenity space for a new house capable of accommodating 5 occupants. The proposed rear gardens measure as follows: Plot 1 - 90 sqm, plot 2 - 121 sqm, plot 3 - 121 sqm and plot 4 - 110 sqm. All would have a minimum garden depth of 11 sqm and would meet or exceed the required private amenity space requirements.
- 5.30 It should be noted however that as mitigation for the loss of the tree boundary on the site and to provide a form of mature landscaped screening, one or two trees are proposed to be planted within each new garden. With this requirement it is considered that this would reduce the amount of useable garden space and put pressure for future works to the trees to manage them in the garden setting. The situation for plot 1 is very tight and it is noted that the introduction of kinked boundary by the applicant was to address requirement of additional tree planting to re-provide screening between the rear gardens of the new dwellings and Ewhurst Place as plot 1 would fall below the usable garden area if tree planting had to be provided within its curtilage. While the garden sizes in themselves are adequate, it is not considered that the requirement for mature landscaping within the rear garden plots to provide the replacement visual screening is suitable, effective or practical mitigation in the context of this development. The proposal is therefore considered to conflict with policies CH3, CH6 and the advice in the Green Infrastructure SPD in this regard.
- 5.31 The CBC Waste and Recycling Officer has no objection to the servicing arrangements for the development noting that all properties have space to store individual bins within their boundaries for front edge kerbside collection. All dwellings have side access to the rear gardens.

## Impact of the Development on the Amenities of Neighbouring Properties/Occupiers

- 5.32 The application site is surrounded by residential properties to the north, east and west. The impact on these properties is considered in more detail below. Ewhurst playing fields are situated to the south of the site.
- 5.33 Ewhurst Place is situated immediately to the north with its extensive grounds including the intervening moat which surrounds the property. The rear windows of the new houses would be over 50 metres away from the nearest windows in Ewhurst Place and given this distance and the existing and proposed landscaping there is considered to be no harmful loss of privacy or amenity to this property.
- 5.34 Number 32 Ifield Drive is located to the west of the application site and is separated from the site boundary by the access drive serving Ewhurst Place and Dower Cottage. A mature hedge runs along the western side of the access drive providing screening to the property which has a detached garage along its eastern boundary. The nearest house (plot 1) would be positioned so that its front wall is set 1.5m behind the front wall of number 32 and rear wall would be 1.5m beyond the existing rear wall of number 32. As a result, there would be no overlooking or change in outlook from the front or rear windows of this neighbouring house. The distance between the flank walls would measure 11.5 m, and number 32 has a bedroom window in its flank wall at first floor level facing east, the new dwelling (Plot 1) would have one bathroom window which would be obscure glazed with a high-level opening fanlight facing west towards this dwelling. It is not considered that there would be a loss of privacy to the occupiers of this house, and it is not considered that the flank wall of the new house would appear overbearing given the separation distance and intervening hedge / access drive.
- 5.35 Number 14 Ifield Drive is located to the east, with its side boundary immediately adjoining the application site. This property has a detached garage to its west side and a west facing 1<sup>st</sup> floor bedroom window in the flank elevation. The nearest property (plot 4) would be set back 1.5 m behind the front wall of this neighbour and extend 1.5 m beyond the rear wall. In this case again, it is also not considered there would be any overlooking or change in outlook from the front or rear windows of this neighbour. The distance between flank walls would measure 8.2 metres and the first floor bedroom window of no 14 would have a partial outlook onto the flank wall of plot 4. Plot 4 would have one bathroom window which would be obscure glazed with a high level opening fanlight facing east so it is considered that there would be no harmful loss of privacy and with the slight set back of 1.5m the bedroom window would not have a completely obstructed outlook. In this case the setback and separation distance is considered adequate to safeguard the light and outlook for this house's occupiers.

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- 5.36 In conclusion, it is considered that the proposed houses would not result in a harmful impact on the amenities of the neighbouring occupiers and the development would therefore comply with policy CH3 in the Local Plan in this regard. It is noted that the houses in this part of Ifield Drive are of a uniform design that have a bedroom window in their flank elevations however, in this case the level of separation between these properties and the proposed new houses are considered adequate and comparable with the existing gaps between other houses of this design along this part of the street.

## Transport Requirements (Highways, Parking, Servicing, Cycles)

- 5.37 The Local Highway Authority (LHA) has no highway safety concerns and comments that the two proposed shared accesses serving each pair of semi-detached houses are adequate and these works could be carried out under a vehicle crossover licence. In addition, conditions are recommended to ensure adequate access, parking and turning, cycle parking and EV charging provision for the development.
- 5.38 The LHA also commented on the site planning history and its previous highway objection to application reference CR/2006/0189/OUT, stating that it *'raised an objection on highway safety grounds as the traffic calming feature had not been demonstrated on the plans and the proposed access arrangement may have resulted in a difficult left turn into the access'*. The LHA further comment that they are satisfied the current plans indicate vehicles can safely enter and exit the site and that the proposal would not have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the highway network.
- 5.39 Each property has space to park two vehicles (either as 2 parking spaces or as a garage and single parking space). The minimum parking standard for a 3 bedroom property is for 2 -3 parking spaces and therefore the proposal is considered to adequately meet this standard. The layout provides a shared driveway for each pair of semi-detached houses and also allows for space to manoeuvre the cars for each house within the site so drivers can enter and exit in forward gear. There is space within the layout to provide EV charging points for each property.
- 5.40 The layout shows cycle storage is to be provided in either the garage or for those properties without a garage in a detached storage shed. All properties have a side access gate which would allow cycles to be wheeled around to the rear garden. It is considered that cycle parking can be adequately accommodated within the proposed layout.
- 5.41 In conclusion, the application is considered acceptable in terms of highway safety, with adequate access, parking and turning arrangements. Satisfactory provision is made for cycle parking and the layout can provide for EV charging. The proposal would therefore comply with policies CH3 and INV4 of the Local Plan in this regard.

## Sustainability

- 5.42 Policies ENV6, ENV9 and, the Planning and Climate Change SPD are relevant to the application. The applicant has submitted a Sustainability Statement. The CBC Sustainability Officer comments that the statement responds to the objectives of the policy by adopting a fabric performance strategy, gas heating, lower energy lighting and renewable technologies for the development although precisely what is envisaged is unclear. However, the measures required to address policy ENV6 can be secured via a suitably worded condition.
- 5.43 The original Sustainability Statement was submitted before water neutrality became an issue, but it demonstrated the development would achieve the adopted policy target in ENV9 of 110 litres/person/day. The applicants are now proposing to achieve the target of 85 litres/person/day as required by draft policy SDC4 of the emerging Local Plan 2024-2040, this matter is however discussed later in more detail, in the 'water neutrality' section of this report.

## Other Ground Conditions (Contamination)

- 5.44 There is linear area of filled ground intersecting the west of the site marked on the Council mapping as 'unknown filled ground'. The CBC contaminated land officer has no comments about this. It is not considered that there are any contamination impacts from the feature which from looking at other

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evidence provided by the applicant seems to suggest a former ditch or field boundary feature now lost from the site.

## Affordable Housing Provision and Infrastructure Contributions

- 5.45 Local Plan Policy H4 states that 40% affordable housing will be required from all residential developments. The policy accepts that on-site provision may not always be achievable on small developments of 5 dwellings or less and, on this basis, the council will accept an off-site financial contribution. On submission of the application back in 2021, the applicant agreed to payment of a financial contribution which at the time was calculated at £36,587 based on the affordable housing calculator. This rate may have increased slightly, however, it has not been recalculated as, given the officer concerns set out elsewhere in this report, a draft S106 has not been concluded. As there is no completed 106 Agreement for this development at this present time the applicant is not policy compliant and therefore a refusal is recommended on this basis.
- 5.46 Policy IN1 requires developments to make provision for its on and off-site infrastructure needs and confirms that the Council will seek to implement a Community Infrastructure Levy (CIL). The Crawley CIL Charging Schedule has been in effect since 17 August 2016 and is relevant to this application since the development is creating 4 new houses. The charge would be calculated, and a CIL Liability Notice would be issued following the grant of permission.

## 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. 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.
- 5.49 The applicant has submitted evidence to enable a judgement to be made by the Borough Council, as the competent authority, 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.
- 5.50 The site is undeveloped land and therefore there is no existing water use associated with it. The applicant has prepared a water budget for the proposed houses seeking to ensure that the daily water demand target will be below 85 litres/person/day. This is to be achieved through the use of greywater recycling for the WC’s and 50% washing machine demand, reduced flow rate taps / showers and water efficient kitchen appliances. The assumptions in the report have been reviewed by the Council’s independent specialist consultant that has advised that the proposed water budget (supported by the calculations and the information provided), is acceptable provided further evidence on fittings, details on external taps and the greywater harvesting system are secured by condition or legal agreement.
- 5.51 However, while the water budget information for the development is considered acceptable, the development is not water neutral without mitigation to offset the water needed for the houses. While the applicant states that the water demand would be offset using the Borough Council’s Retrofitting

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Strategy, there has been no evidence provided that any agreement has been made to provide mitigation and in the absence of this mitigation the development is not water neutral. As a consequence, an Appropriate Assessment has not been completed and sent to Natural England as there is no certainty that the mitigation can be secured through an offsetting provider and on this basis a planning permission cannot be granted as water neutrality cannot be demonstrated.

- 5.52 In conclusion, the development fails to demonstrate water neutrality in the absence of any firm proposals for off-site mitigation. It must therefore be concluded that the proposed development would adversely affect the integrity of the protected Arun Valley sites which are European Sites of Nature Importance and are protected under the Conservation of Habitats and Species Regulations 2017 (the Regulations). The proposal is therefore contrary to the Regulations, policies IN1 and ENV2 and to draft Local Plan policy SDC4.

## **CONCLUSIONS:-**

- 6.1 It is considered that while land is suitable in principle for redevelopment, the current proposal in terms of its design and layout has a harmful and unacceptable impact due to the loss of a historic tree / hedge boundary. The permanent loss of the established boundary would not preserve or enhance the significance of the heritage assets. The application is therefore contrary to policies SD1, CH12, CH15 of the Local Plan and policy HA7 of the draft Local Plan and the advice in Chapter 16 of the NPPF 2023.
- 6.2 In Arboricultural terms the development would result in the almost total loss of a row of protected trees which make a positive contribution as a group to the visual amenity of the area. The proposed mitigation for the trees involving replanting along a different boundary would provide some visual screen however this is not considered adequate either in numbers or tree positioning as there is considered to be likely future conflict with the maturing replacement trees and pressure for surgery / removal to contain them in garden setting.
- 6.3 The applicant has also been unable to demonstrate the development is water neutral as there are not agreed offsetting mitigation measures in place. The proposal is therefore contrary to the Conservation of Habitats and Species Regulations 2017, Local Plan policies IN1 and ENV2 and to draft Local Plan policy SDC4.
- 6.4 Finally due to the concerns set out above a Section 106 Agreement has not been entered into without which the development cannot secure affordable housing or tree mitigation contributions needed to address the relevant policies H4 and CH6 of the Local Plan.

## **RECOMMENDATION RE: CR/2021/0571/FUL:-**

**REFUSE** for the following reasons:

1. The proposed development would result in the loss of a historic tree screen marking an established boundary that informs the past use of land and make a positive contribution to the designated heritage assets setting. Its loss would result in less than substantial harm and would not preserve or enhance the significance of the heritage asset, the harm being cumulative with the development of the land parcel and encroachment of urban form when viewing Ewhurst Place from the south. The development is therefore considered to be contrary to policies SD1, CH12 and CH15 of the Local Plan and policy HA7 of the draft Local Plan which should be afforded significant weight along the advice set out in chapter 16 the NPPF 2023
2. The proposed development would result in the loss of an important hedge / tree screen which is considered to make a positive contribution to the visual amenity of the area and for which insufficient mitigation for its loss would be provided. The relationship of the new tree planting would result in the future occupiers experiencing some nuisance from the trees resulting in pressure to prune or fell them in order retain them at a manageable size with the rear gardens which would have an adverse impact on their visual amenity and the effectiveness of the boundary screen. The proposal is contrary to Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework (2023).



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3. No agreement is in place to ensure that the appropriate affordable housing and tree mitigation contributions required to support the development are secured. The proposed development is therefore contrary to policies CH6 and H4 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure SPD, the Affordable Housing SPD and the Developer Contributions Guidance Note.
4. The applicant has failed to demonstrate that there is effective mitigation in place to secure the water offsetting that is required to serve the new houses and secure the measures required to achieve water neutrality. The proposal is contrary to policies IN1, ENV2 of the Crawley Borough Local Plan 2015-2030 and policy SDC4 of the draft Local Plan 2024-2040, 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.

## NPPF Statement

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

- Seeking amended plans/additional information to address identified issues during the course of the application.
- Providing advice on the refusal of the application to solutions that would provide a satisfactory way forward in any subsequently submitted application.

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



# ArcGIS Web Map



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

1:1,054



# Agenda Item 7

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 4 December 2023  
REPORT NO: PES/447(c)

**REFERENCE NO: CR/2023/0118/FUL**

**LOCATION:** [THREE BRIDGES FOOTBALL CLUB, JUBILEE WALK, THREE BRIDGES, CRAWLEY](#)  
**WARD:** Three Bridges  
**PROPOSAL:** REPLACEMENT OF EXISTING PITCH WITH 3G FOOTBALL TURF PITCH (3G FTP) (8962 SQ. METRES) AND ASSOCIATED WORKS INCLUDING ERECTION OF NEW FENCING WITH ENTRANCE GATES TO FORM AN ENCLOSURE AROUND THE PITCH PERIMETER, REPLACEMENT PITCH BARRIERS AND INSTALLATION OF A STORAGE CONTAINER WITHIN THE 3G FTP ENCLOSURE. ERECTION OF 6 NO. 15.0 M HIGH FLOODLIGHTS AROUND THE 3G FTP PERIMETER WITH LED LUMINAIRES. RESURFACING AND EXTENSION OF HARD-STANDING AREAS. ERECTION OF 2.5 M HIGH ACOUSTIC FENCE

**TARGET DECISION DATE:** 23 May 2023

**CASE OFFICER:** Mr G. Felstead

**APPLICANT'S NAME:** Mr Richard Munn  
**AGENT'S NAME:** S&C Slatter

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

Drawing Number	Revision	Drawing Title
S22-188/DWG/0001		Location Plan
S22-188/DWG/0002		Existing Site Plan
S22-188/DWG/0003		Proposed Site Plan
S22-188/DWG/0004	01	Proposed Floor Plan
S22-188/DWG/0005		Proposed Layout
S22-188/DWG/0006		Proposed Drainage
S22-188/DWG/0007		Proposed Floodlights
S22-188/DWG/0008	01	Proposed Elevations

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

1. GAL Aerodrome Safeguarding	No objection - the proposed development does not conflict with safeguarding criteria, crane informative recommended.
2. WSCC Highways	No objection subject to conditions
3. National Air Traffic Services (NATS)	No objection
4. Drainage Officer	No objection
5. Environmental Health Officer	No objections subject to conditions
6. Sport England	No objection subject to conditions
7. Strategic Planning	No objection

## **NEIGHBOUR NOTIFICATIONS:-**

1 to 12, & 14 & 15 Grove Court  
150a Three Bridges Road  
Three Bridges Pavilion  
150B, 152, 154, 154A, 154B, 156, 156A and 156B Three Bridges Road:  
Crawley Jubilee Club.

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## **RESPONSES RECEIVED:-**

None

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

Major application.

## **THE APPLICATION SITE:-**

- 1.1 Three Bridges Football Club is located at the end of Jubilee Walk, adjacent to Haslett Avenue East, in the Three Bridges neighbourhood. The application site currently comprises a full-size grassed 11v11 players football pitch, with associated dug outs and a spectator stand along the northern perimeter of the pitch; and clubhouse towards the southern perimeter. There is fencing around the site and 6 floodlights around the pitch.
- 1.2 A hard surfaced car park of 130 spaces is located to the south, east and west of the football pitch, that wraps around the clubhouse. Hedgerows and trees are present along the northern and western boundaries of the football ground. Beyond the football ground to the north and west is the Three Bridges Playing Fields recreation ground and play area. Jubilee Field is to the east and includes a basketball court with floodlights. There is a 2m high close boarded fence along the boundaries.
- 1.3. To the north-east of the football ground are the Jubilee Club and a boxing club on Jubilee Walk with associated car parking. There are residential properties further to the east at Kingsland Court. The closest residential neighbours to the proposed development are located to the north along Three Bridges Road, with Grove Court approximately 35m away with an intervening car park and 150-155 Three Bridges Road approximately 50m away with intervening rear gardens. No 2 Jubilee Walk is to the north-east is approximately 125m away with a number of intervening non-residential buildings. To the south is Sutherland House, separated from the site by Haslett Avenue East, which is an office to residential conversion approximately 60m away. Also to the south of the A2220 (Haslett Avenue East) is Stephenson Way industrial estate.
- 1.4 The site is owned by Crawley Borough Council and leased to the football club. The site lies within the Sussex North Water Resource Zone. It is within an amber zone for Great Crested Newts. The recreation ground and other land around the football club site is designated as Structural Landscaping.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 The application proposes the replacement of the existing pitch with a 3G Football AstroTurf Pitch of 8962 sqm and includes associated works. The proposal comprises:
  - A 3G artificial football pitch replacing the existing grass football pitch;
  - 4.5m high ball stop fencing with entrance gates to form an enclosure around the 3G pitch and its immediate surroundings;
  - 1.1m high replacement perimeter barrier around the pitch with entrance gates internally within the fenced 3G pitch enclosure;
  - 2.6m high replacement maintenance equipment storage container (15 sq. metres) within the 3G pitch enclosure adjacent to the clubhouse;
  - 6 x 15.0m high replacement floodlights around the 3G pitch perimeter with LED luminaires (sports area lighting)
  - Resurfaced and extended hard-standing areas around the 3G pitch perimeter for pedestrian, player, officials access and circulation and spectator viewing, vehicular maintenance and emergency access; and open-air storage for portable football goals.
  - A 2.5m high acoustic barrier along the northern corner of the site.

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- 2.2 The application is supported by the following documents:
- Design and Access Statement with Planning Statement
  - Water Management and Maintenance Plan
  - FA Grassroots Football Strategy
  - Flood Risk Assessment
  - Floodlight Design Document
  - Noise Impact Assessment
  - Water Neutrality Statement
  - Water Management Operation and Maintenance Plan

- 2.3 The submitted details indicate that the project aims to:
- Provide a match play and training facility for local football to support and advance community sport.
  - Provide a reliable sports surface to ensure safe and consistent use and guaranteed all-weather play.
  - Support targeted programmes primarily focusing with the development of grassroots football.
  - Support continued growth of football within local teams.
  - Reduce pressure on existing training and matchplay facilities locally.
  - Work strategically with other facilities and organisations locally to support football growth and development.

The two tables below show the existing use of the facilities and the expanded use expected from the proposed facilities. Currently the pitch is used for 70 matches per year and for training on 100 occasions per year, as it is a grass pitch and would be susceptible to damage if subject to a higher level of use. The new, more durable, artificial surface would enable a wider range of use over the week. The bottom table indicates that, whilst first team use would remain the same, use for adult, young adult, children's, schools and pensioner training/matches would increase. The first team currently play in the Isthmian League South East Division.

**Table 2: Existing Occupancy Use**

	Detail of Use	Number of Users	Hours per Day	Occurrences per year	Hours per Year
Football Pitch Training	Matches	40	3	70	210
	1st Team Training	20	2	100	200
Clubhouse Private Hire	Full Day	61	10	5	50
	Evening Event	61	5	63	315
Spectators	Matches	250	3	70	210
Office	Office Space	3	8	150	1200

**Table 2: Proposed Occupancy Use**

	Detail of Use	Number of Users	Hours per Day	Occurrences per year	Hours per Year
Football Pitch Training (teams that will use showers)	Matches	40	3	70	210
	1st Team Training	20	2	100	200
	YA Training	40	1	250	250
	Adult Training	40	9	50	450
Football Pitch Training (no use of use showers)	Childrens Training	60	17	50	850
	School Training	35	1	180	180
	OAP Training	20	1	50	50
Clubhouse Private Hire	Full Day	61	10	5	50
	Evening Event	61	5	63	315
Spectators	Matches	250	3	70	210
Office	Office Space	4	8	350	2800

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## **PLANNING HISTORY:-**

3.1 The Three Bridges Football club site has an extensive planning history. The previous applications cover car parking, seating, the clubhouse and floodlighting. The following applications are the most relevant:

CR/1111/1986 ERECTION OF NEW SPORTS AND SOCIAL CLUB - approved 16.06.1986 – Implemented.

CR/1999/0275/FUL ERECTION OF SINGLE STOREY SIDE EXTENSIONS TO EXISTING CLUBHOUSE – approved 11.06.1999 – Implemented.

CR1999/0374/FULL ERECTION OF COVERED SPECTATOR SEATING - approved 11.08.1999 – Implemented.

CR/1999/0375/FUL UPGRADING OF EXISTING FLOODLIGHTS approved 18.08.1999  
Condition 3:

*Except with the written prior consent of the Local Planning Authority the floodlighting shall not be switched on between 10.30pm and 7.30am  
REASON: in the interests of residential amenity*

CR/2002/0872/FUL ERECTION OF LIGHTING FOR CAR PARK approved 21.02.2003  
Condition 2:

*The illumination of the site shall be masked so that the light source is not visible to users of the adjacent highway in Haslett Avenue.  
REASON: In the interests of highway safety in accordance with Policy T2 of the Crawley Borough Local Plan 2000.*

CR/2011/0073/FUL - RETROSPECTIVE APPLICATION FOR THE USE OF CAR PARK FOR UP TO 54 CARS AT ANY ONE TIME WITHIN AREA A BETWEEN THE HOURS OF 07.30 AND 18.00 BY EMPLOYEES OF CLUB SPONSORS UNRELATED TO SPECIFIC SPORTING ACTIVITY AND THE SURFACING OF AREA B – approved 29.03.2011. This relates to employee and club sponsor use of the car park, not football matches.

CR/2011/0163/FULL - RETROSPECTIVE APPLICATION FOR THE ERECTION OF A 50 PEOPLE CAPACITY STAND AND NEW EXTERNAL DOOR IN CLUB HOUSE – approved 6.06.2011

CR/2021/0424/ADV PROPOSED ILLUMINATED SIGN TO DISPLAY MATCH EVENTS - approved 23.09.2021

CR/2022/0548/FUL RETROSPECTIVE ADVERTISEMENT CONSENT FOR ILLUMINATED AND NON STATIC ADVERTISEMENT DISPLAY BOARD – refused 12.09.2023

## **PLANNING POLICY:-**

### National Planning Policy Framework: September 2023

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

#### **Section 8 Promoting healthy and safe communities**

Paragraph 92 - Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:

a) Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong



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neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

Paragraph 93 - To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

a) Plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;

b) Take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;

c) Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

d) Ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and

e) Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.

## **Open space and recreation**

Paragraph 98

Access to a network of high- quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

Paragraph 99

Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

## **Section 12 Achieving well-designed places**

Paragraph 130 - Planning policies and decisions should ensure that developments:

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

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

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

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

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

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

## Section 15 Conserving and enhancing the natural environment

### Paragraph 174

Planning policies and decisions should contribute to and enhance the natural and local environment by: e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

### Paragraph 185

Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life<sup>65</sup>; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

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

### 4.2 The relevant policies include:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places.
- Policy CH3: Normal Requirements of All New Development requires proposals to:
  - a) Be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context and demonstrate how attractive or important features which make a positive contribution to the area would be integrated, protected and enhanced. These features include: views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings;
  - b) 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. Proposals must be supported by a future management and maintenance plan for all shared hard and soft landscaping, semi public or semi private areas to ensure these areas become well-established. Contributions towards street scene improvements, public art and CCTV will be sought in accordance with council guidance;
  - c) Provide or retain a good standard of amenity for all existing and future occupants of land and buildings, including compliance with internal standards for new dwellings as set out in Policy CH5, and not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance or overshadowing, traffic generation and general activity, for example noise, smells and/or vibration;
  - d) Retain existing individual or groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens that would not be overshadowed by tree canopies; and proposals should ensure that rooms within buildings would receive adequate daylight. Where a development is proposed or where trees would be lost to development, tree planting should accord with the standards set out in Policy
  - e) Demonstrate how “Secure by Design” principles and guidance set out in “Secured by Design” design guide (as amended) have been incorporated into development proposals to reduce crime, the fear of crime, anti-social behaviour and disorder. For all development, the potential impact on



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community safety must be carefully considered at the earliest opportunity to ensure that measures are integrated into proposals without compromising other objectives;

f) Meet the requirements necessary for their safe and proper use, in particular with regard to access, circulation and manoeuvring, vehicle and cycle parking, loading and unloading, and the storage and collection of waste/recycling; and

g) In respect of residential schemes, demonstrate how the Building for Life 12 criteria (as amended) for the evaluation of the design quality of residential proposals have been taken into account and would be delivered through the scheme.

- Policy ENV4: Open Space, Sport, and Recreation; The policy states: proposals that remove or affect the continued use of existing open space, sport and recreational spaces will not be permitted unless:
  - a) An assessment of the needs for open space, sport and recreation clearly show the site to be surplus to requirements; or
  - b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
  - c) The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss. Whilst a site may be surplus to requirements as open space it may still be of environmental or cultural value; or the site's development may have unacceptable visual or amenity impact, or adversely affect its wider green infrastructure functions, including for climate change mitigation. Therefore, applicants should also carefully consider the character and other environmental policies in the Plan.
- Policy ENV6: Sustainable Design and Construction - The Policy states: All development, including the alteration and extension of existing buildings, should consider how it may achieve the sustainability objectives.
- Policy ENV8: Development and Flood Risk – This Policy states that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV10: Pollution Management and Land Contamination – This Policy states that: to prevent unacceptable risks from environmental pollution and land contamination, development, including extensions and intensification of existing uses, will be permitted where the proposed use:
  - a) would not lead to a significant increase (including cumulative increase) in levels of pollution or hazards, or where impacts can be appropriately mitigated to ensure impacts are controlled, and as far as possible reduced; and
  - b) is appropriate to its location in that it would not result in unacceptable disturbance or nuisance to the amenity of adjacent land uses and occupiers.
- Policy ENV11: Development and Noise states that people's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources.
- Policy IN1: Infrastructure Provision states that existing infrastructure services and facilities will be protected where they contribute to the town, unless equivalent or improved provision is made.
- Policy IN4: Car and Cycle Parking Standards states that development will be permitted where parking is provided in accordance with the Council's parking standards.
- Policy IN5: The Location and Provision of New Infrastructure supports the provision of new or improved infrastructure that add to the range and quality of facilities in the town.

## Draft Crawley Borough Local Plan 2024-2040

4.3 The Local Plan Review 2024-2040 was submitted for examination on 31 July 2023. The examination commenced on 21 November 2023. Limited weight should therefore be given to the following policies:

- Policy SD2: Enabling Healthy Lifestyles and Wellbeing
- Policy CL2: Making Successful Places: Principles of Good Urban Design
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy SDC1: Sustainable Design and Construction
- Policy SDC3: Tackling Water Stress
- Policy EP1: Development and Flood Risk
- Policy EP4: Development and Noise
- Policy OS1 Open Space, Sport and Recreation
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

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4.4 Following public consultation in summer 2023, the following policies received only supportive comments or have no significant unresolved objections and there therefore considered to have significant weight. These are:

- Policy DD5 (Aerodrome Safeguarding) states that development will only be supported if it is consistent with the continued safe operation of Gatwick Airport.
- Policy EP3 (Land and Water Quality) seeks to ensure people's health and quality of life, property and the wider environment will be protected from land contamination and water quality issues.
- Policy EP6 (External Lighting) states that development must demonstrate how it will use minimal lighting to achieve the required purpose, minimise light pollution to as to avoid significant harm to biodiversity and highway safety, prevent unacceptable sky glow, glare, light spillage and unnecessary energy usage.

## Supplementary Planning Documents

4.5 The following Supplementary Planning Documents are also relevant to this application:

- Urban Design SPD – Adopted October 2016 - This relates to development of all scales and uses, and aims to help applicants submit good quality schemes, which meet national and local planning policy requirements.
- Green Infrastructure SPD – Adopted October 2016 - Crawley's green infrastructure network supports the environment and the wellbeing of residents. Green infrastructure functions include: recreation, biodiversity, climate change mitigation/adaptation, drainage, transport, job creation, visual amenity, and food and fuel sources.
- Planning and Climate Change (adopted October 2016) – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.

## PLANNING CONSIDERATIONS:-

5.1 The main planning considerations for this application are:

- Principle of the development
- Design and appearance
- Residential amenity
- Access and parking requirements
- Drainage
- Water neutrality.

### Principle of the development

5.2 The application principally involves converting the existing natural turf football pitch at Three Bridges Football Club's ground to an artificial grass pitch (AGP) with a 3G surface suitable for football. The application also involves new or replacement supporting infrastructure for the AGP including ball stop fencing, pitch barriers, a storage container and resurfacing/extending hardstanding areas around the perimeter of the pitch. The application also involves replacing the six existing floodlights around the pitch with new masts mounted with LED luminaires and installation of a 2.5m high acoustic fence around the northern corner of the site.

5.3 Policy ENV4 Open Space, Sport, and Recreation sets out that proposals that remove or affect the continued use of existing open space, sport and recreation spaces will not be permitted unless, *"the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location"*.

5.4 The proposed 3G Pitch would replace an existing grass football pitch and, as a result of its greater durability and all weather nature, could support intensified football activities. The primary purpose of the application site would remain unaltered, facilitating football club activities and community

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access. Policy EN4 refers to the evidence of the Playing Pitch strategy, to help define the existing provision, future provision and the adequacy of provision. The Playing Pitch Strategy C Needs Assessment evidence document has been used to review this proposal.

- 5.5 There are currently 2 full size AGPs within Crawley at Broadfield and Thomas Bennett. The playing pitch strategy identifies that there is a deficit of 3 full-size AGPs within the Borough. With an increase in the population and future demands, three new AGP pitches will be required by the end of the next Local Plan period.
- 5.6 The replacement of the current grass football pitch with a full size 3G pitch would help reduce the deficit of AGPs within the Borough. It will also provide provision to an area that does not currently have a 3G pitch. The pitch would be flexible, with the capability to provide smaller playing areas within the full size pitch. Community access will enable other clubs, communities, and individuals to play on the surface when not required by the football club, which currently is not available.
- 5.7 Sport England has considered the application in light of the NPPF (in particular paragraph 99), and against its adopted Playing Fields Policy, which states:

*'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:*

- all or any part of a playing field, or*
- land which has been used as a playing field and remains undeveloped, or*
- land allocated for use as a playing field*

*unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.'*

- 5.8 *Exception 5 of Sport England's adopted Playing Fields Policy states :*

*5. The proposed development is for an outdoor facility for sport and the provision of which would be of benefit to the development of sport as to outweigh any detriment caused by the loss, or prejudice to the use, of the area of playing fields.*

- 5.9 Sport England consider that,

*The conversion of the natural turf pitch to an AGP would provide a consistent all weather surface that would be capable of intensive use throughout the year for matches, training and coaching. The rationale for the proposal is to improve the quality and capacity of Three Bridges FC's pitch. At present, the limited carrying capacity of the natural turf pitch (around 80 matches per season) restricts its use mainly to match play. The proposed artificial surface would allow Three Bridges FC to use the pitch for match play and training for its mini and junior section as well as the senior teams. The enhanced facility would also allow the club to develop disability, LGBT and homeless football due to the additional capacity offered.*

*The artificial surface and enhanced sports lighting combined would address the capacity deficiencies of the existing natural turf pitch as it could be used in all weathers throughout the year, would provide a consistent surface that would improve skills development and performance and provide a revenue source for supporting the sustainability of the pitch and the wider club facilities.*

*The facility could be used by other clubs and community groups when not required by Three Bridges FC. Subject to the 3G surface meeting the appropriate FIFA standard, the AGP would still allow the club to meet its FA ground grading requirements (the technical requirements that have to be met to host senior football in the non-league pyramid).*

- 5.10 In terms of strategic need, Sport England advise that *'The Football Foundation (who represent the FA and the Sussex FA) have advised that the Crawley Local Football Facilities Plan (2019) identified a shortfall of 3 full size 3G AGPs in the Borough with gaps in provision in the east and west of Crawley. The proposed facility has been identified in the Local Football Facilities Plan as a priority project to help address this deficiency. Consequently, the Football Foundation and Sussex FA are supportive of the proposal. The Football Foundation has also advised that the design of the facility will meet the FA's design guidance if it is delivered through their framework as currently proposed'*.

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- 5.11 Sport England also comment, *'subject to the appropriate artificial surface being delivered, all of the existing match use of the natural turf pitch should be able to transfer to the AGP. However, the surface will only be sanctioned for match play if it is certified as meeting the appropriate FIFA standard and therefore it will be essential that the surface is designed and maintained to this standard in practice. All of the ancillary facilities proposed around the perimeter of the pitch would not have an adverse impact on the use of the pitch.'*
- 5.12 Sport England conclude that *'the potential sports development benefits that the proposed AGP would offer would clearly outweigh the detriment caused by the impact on the playing field.'* Sport England therefore consider that the proposed development would meet exception 5 of their Playing Fields Policy. They have no objection, subject to a community use agreement and certification of the pitch surface. These aspects can be secured by a s106 agreement.
- 5.13 The principle of the replacement pitch is therefore supported as it would provide Crawley with enhanced facilities complying with Policy ENV4. The community use and pitch certification requirements from Sport England can be secured through a s106 legal agreement and the applicant has indicated a willingness to enter into this. The specific details of the proposal are considered in more detail below.

## Design and appearance

- 5.14 The pitch and associated infrastructure would be situated in the same location as the existing facilities. However, there are also new elements, comprising perimeter fencing, an acoustic barrier, pitch barriers, a maintenance equipment storage container and an open air storage compound.
- 5.15 The pitch barrier consists of a 1.1m high fence that would run around the perimeter of the pitch itself, with the 4.5m high ball stop fencing forming a taller enclosure around the pitch and outer hardstanding areas. Both types would be steel mesh fencing and dark green in colour.
- 5.16 The 2.5m high acoustic fence would sit on the northern boundary and provide a noise barrier to protect residential properties along Three Bridges Road, including Grove Court. It is recommended that a condition is imposed requiring the submission of technical details of the acoustic fence, including its materials and external appearance.
- 5.17 The 2.6m high maintenance equipment store would be located to the west of the pitch and sited within the fenced 3G AGP enclosure. It would be green in colour and made of high tensile profiled steel. The open air storage area would be 20m x10m and is to be at the west end of the pitch and would be used to store portable football goals.
- 5.18 The six replacement floodlights would be 15.0m high around the 3G pitch perimeter and would provide artificial lighting for sports activities after dusk, mainly during autumn and winter seasons. They would be replacement structures (the six existing floodlights would be removed and replaced with the proposed new lighting system of the same height) and would be prominent within the football ground and would be visible from nearby residential properties, public areas and Haslett Avenue East. However, the current floodlights are also visible, albeit partially concealed by substantial tree and other vegetation, boundary treatments, and buildings surrounding the football ground and are an established feature of the street scene associated with the football ground. The new lights would be silver grey coloured with galvanised finish and LED luminaires; and therefore discreet against a daytime skyline. As the new lights would replace existing floodlights, it is not considered that the impact of the lights on the visual amenities of the area would give rise to a material adverse impact.
- 5.19 Overall, the visual impact of the various aspect of the development is considered to be acceptable and in accordance with the relevant Local Plan policies.

## Residential amenity

- 5.20 The site has been established as a football ground for many years. The application is not seeking to increase the number of pitches or other facilities, but to improve the pitch to allow for increased use

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by the football club and by community groups. This would involve significantly longer periods of use, such as additional evening training sessions and weekend 5-a-side tournaments.

- 5.21 The site does not share any boundaries with immediate residential buildings, with the nearest buildings in Grove Court and Nos. 150 - 156 Three Bridges Road, being some 35-50 metres away. The latter houses have long rear gardens of some 45m in length. It is considered therefore that, due to the overall nature and limited physical scale of the development, the similar existing football ground and the level of separation, that there would be no negative visual impacts by way of overbearing or loss of privacy on the amenities of nearby surrounding occupiers from the new pitch, floodlights and associated infrastructure.
- 5.22 In terms of the use and the potential for increased activity and noise levels arising from the all weather pitch, facilitated by the floodlights, the applicant has submitted a noise impact assessment in accordance with current guidelines given in Artificial Grass Pitch (AGP) Acoustics - Planning Implications (Design Guidance 2015). The assessment details predicted noise levels from the pitch and impacts at nearby noise-sensitive properties.
- 5.23 The use of the pitch would give rise to noise from various sources, including talking/shouting from players and spectators, ball impact and whistles. The Environmental Health officer has considered the noise impacts of the development and comments that acoustic protection around the northern corner of the ground is required in particular to address potential noise disturbance from the use of whistles. He is seeking an acoustic screen, 2.5m in height, along part of the northern boundary of the site, which the football club has agreed to provide. There should be minimal impact on amenity as a result, given the separation distances from residential properties and subject to the implementation of the acoustic barrier. Details of the fence and its noise mitigating properties can be secured by condition.
- 5.24 The design of the floodlights is such that is very little light spillage and back light is projected around the 3G pitch enclosure. This, coupled with the adequate distances to any residential neighbours; will generate minimal impacts to residential amenity; with no unacceptable light trespass into windows and with little glare. The Environmental Health officer has advised that details submitted with the application demonstrate that light intrusion that could adversely affect nearby residents' health and quality of life would be avoided.
- 5.25 The current grass pitch is not subject to any days or hours of use restriction, but the floodlights are limited by condition 3 on permission CR/1999/0375/FUL which states that they shall not be operated between 10.30pm and 7.30am and this applies 7 days per week.
- 5.26 The artificial pitch application will result in an increased football club use and community use of the facilities throughout the week, with the associated operation of the floodlights. Given this intensification of the use, it is considered appropriate to apply a condition relating to both the hours of use of the pitch and the operation of the floodlights. After the final session/activity ceases each evening, a further short period of illumination is required for players, coaches, parents and any spectators to safely leave the facility. This extra illuminated period will also enable loose equipment and portable goals to be moved into storage positions, and for the supervisor to lock-up the pitch enclosure each evening.
- 5.27 Taking into account the existing lawful planning position for the use of the site and the request for extended times, the recommended condition for the hours of operation of the 3G pitch is 08:00 to 22:00 Monday to Saturday, and Sunday 08:00 to 18:00 only, with the floodlights to be only be operated between the hours of 08:00 to 22:15 Monday to Saturday and 08:00 to 18:15 Sunday.
- 5.28 In conclusion on this issue, it is considered that, subject to the acoustic barrier, control over the hours of use and given the separation distance, there would be no adverse impact on the noise environment for these nearby occupiers.

## Trees and landscaping

- 5.29 There are a number of trees around the site boundaries, some with canopies overhanging the existing timber boundary fence around the site. Discussions are ongoing with the applicant about the potential

# Agenda Item 7

impact of the proposed boundary fence and also about measures to protect the roots of nearby trees. A further update will be provided on this issue once the required measures are agreed.

## Access and parking requirements

- 5.30 No change is proposed to the existing vehicular access to the site from Jubilee Walk. The introduction of an artificial pitch, which provides enhanced durability to play over longer periods and also during wet weather conditions, would result in additional traffic movement. However, it is not anticipated by WSCC Highways that this would cause a detrimental impact on the operation of the local and strategic highway network. A construction management plan condition is recommended for the implementation of the works. The site is in a sustainable location as it is located in the urban area, easily accessible by road and public transport links.
- 5.31 The site contains 130 parking spaces and the scheme does not propose any additional parking. The Council's parking standards seek one space per fifteen seats for a stadium. The existing level of parking on-site is in excess of the required parking to meet the standards. The peak parking demand and traffic flow on the site will be the same as on any current match day. Thus, although the facilities would be used more intensively throughout the week, it will not lead to an increase in peak parking demand over and above a league match. It is not considered that the intensification of use and associated vehicular movements will impact negatively on neighbouring occupiers the highway network or add to parking stress in the locality.
- 5.32 Overall, this site occupies a highly sustainable and accessible location, the development would not have an unacceptable impact on highway safety and the access and operational requirements are considered to have been adequately addressed. Vehicle parking is also provided to an acceptable standard. The proposal is therefore considered to accord with policies SD1 of the CBLP and the parking standards within of the Urban Design SPD.

## Drainage

- 5.33 The proposed development site is located within Flood Zone 1 (Low probability for flooding) and the scheme is classified by the Environment Agency as 'water compatible development.'
- 5.34 The removal of the natural grass surface could have an impact on surface water disposal as the permeable grass will be replaced with the artificial grass surface. To address this, storage would be provided within the permeable sub base of the pitch. The surface water from the proposed pitch would eventually discharge into the existing soakaway located near the northern corner of the pitch, through the introduction of a restricted outfall prior to the surface water connecting to that existing soakaway. As such, surface water will be restricted to greenfield equivalent rates, with attenuation to be provided within the permeable sub-base of the pitch.
- 5.35 The Council's Drainage Officer considers the development is water compatible and raises no objection to the flood and drainage risk management approach set out in the documents. Conditions are recommended in relation to the drainage works, including a management and maintenance plan and requiring a post construction certification.

## Water neutrality

- 5.36 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.
- 5.37 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.

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- 5.38 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.
- 5.39 This application is not exempt under the Screening process and therefore the applicants are required to submit evidence so that a judgement can be made by CBC as to whether there could be any potential significant impacts of the development on the Arun Valley sites by way of an ‘Appropriate Assessment’. In accordance with Natural England Position Statement, to meet this test the development must demonstrate that it is ‘water neutral’. The definition of water neutrality is the use of water in the supply area before the development being the same or lower after the development is in place.
- 5.40 This application is one where the intensified use proposed for the site, being a 3G pitch to replace the existing grass pitch, is potentially more efficient or water neutral than that of current use, as the artificial pitch would not need to be watered. However, the intensification of use throughout the week, with associated players, officials and spectators, could increase water use in itself from the additional use of showers and toilet facilities etc. So, whilst the demand for irrigation water use would fall, there would be an increase in water use within the changing rooms and toilets.
- 5.41 The applicants have provided a Water Neutrality Report and the increase in water use from additional people using the facility has been included in the calculations. This information has been independently assessed for CBC by a specialist consultant, Water Environment. They conclude that the assumptions applied in generating the water budget are reasonable and precautionary and, based on calculations included with the documents, show a water saving of 43%, with the cessation of pitch watering arising from the switch from a grass to artificial surface reducing existing water use by around 2,400m<sup>3</sup>/year. This amount of savings exceeds the increased consumption in showers/toilets resulting from increased use of the site. It is therefore considered that the development would be ‘water neutral’.
- 5.42 Based on these findings an Appropriate Assessment document is being prepared and sent to Natural England for comment (as required under Habitat Regulations).

## **CONCLUSIONS:-**

- 6.1 The principle of a remodelled enhanced sports facility is acceptable in policy terms. It would expand the range of accessible sports, recreation, education, and community facilities; providing public benefit. The facility would provide a valued training and competition facility, and also improve team sports use by community groups.
- 6.2 The proposed design and siting is functional but is also considered visually acceptable and appropriate in its setting. The development is not considered to have a detrimental impact on the amenities of neighbouring occupiers.
- 6.3 The development has also demonstrated water neutrality.
- 6.4 As a result, the proposal is considered to accord with the policies and objectives of the Crawley Borough Local Plan (2015–2030), the Supplementary Planning Documents and the NPPF (2023). It is therefore recommended to grant planning permission, subject to consultation on the Appropriate Assessment with Natural England, the completion of a s106 legal agreement securing community use and pitch certification and the imposition of relevant conditions.

## **RECOMMENDATION RE: CR/2023/0118/FUL:-**

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

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- the conclusion of consultation with Natural England under the Habitats Regulations;
- the completion of a S106 legal agreement securing community use and pitch certification; 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. No development shall take place, including any works of site clearance, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority covering 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, unless otherwise agreed in writing by the Local Planning Authority. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:
  - the anticipated number, frequency and types of vehicles used during construction;
  - the method of access and routing of vehicles during construction;
  - the parking of vehicles by site operatives and visitors;
  - the loading and unloading of plant, materials and waste;
  - the storage of plant and materials used in construction of the development;
  - the erection and maintenance of security hoarding;
  - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
  - the prevention of deliveries at the site during school drop-off and pick-up time (generally 0800-0900 and 1430-1530); and
  - access arrangements from the public highway, including temporary accesses and alterations to existing accesses;REASON: In the interests of highway safety, to protect trees around the site and to protect the amenities of the area in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.  
REASON why pre-commencement condition: As it relates to potential impact upon the trees and the surrounding area starting with the setting up for construction activities.
4. No above ground development shall take place until details of an acoustic barrier to be installed along the northern corner boundary of the site to mitigate against noise impacts at the nearest noise sensitive premises have been submitted to and approved by the Local Planning Authority. The details shall include information on materials to be used for the barrier including surface mass; method of construction; length and height specifications and the exact positioning of the barrier. The submission shall provide full details of the noise barrier mitigation calculations and projected noise levels at the façade of the nearest noise sensitive premises. The acoustic barrier shall be implemented in accordance with the approved details prior to the 3G football pitch hereby approved being first brought into use and thereafter retained for the lifetime of the development.  
REASON: To protect against exposure to noise levels which could lead to significant or unacceptable adverse effects on the health and quality of life of existing or future residents in accordance with Policy ENV11 of the Crawley Borough Local Plan 2015-2030.
5. All perimeter fencing shall be fixed to its support posts with a neoprene isolator that is installed to fully isolate the panels from the posts. The neoprene isolators shall be maintained, and replaced as required due to wear and tear, thereafter unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To mitigate the impact of noise arising from balls impacting fences and to protect residential amenity in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.



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6. Use of the 3G football pitch hereby permitted shall only take place between the hours of 08:00 to 22:00 from Monday to Saturday and 08:00 to 18:00 on Sundays. The floodlights hereby permitted shall only be operated between the hours of 08:00 to 22:15 from Monday to Saturday and 08:00 to 18:15 on Sundays.  
REASON: To address noise and the impact of floodlighting in the interests of the residential amenities of nearby occupiers in accordance with Policies CH3, ENV10 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
7. The floodlighting hereby permitted shall be installed in accordance with the approved details, including the intensity of illumination and predicted lighting contours. Any variation to the lighting shall be first submitted to, and approved in writing by, the Local Planning Authority on an application in that behalf.  
REASON: To prevent light pollution which could adversely affect residential amenity and the health and quality of life of nearby residents in accordance with Policies CH3, ENV10 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
8. The development hereby permitted shall be implemented in accordance with the approved details of the Flood Risk Assessment and Drainage Strategy and the Water Management Operation and Maintenance Plan. The drainage scheme shall be fully implemented prior to the first use of the pitch hereby approved and thereafter managed and maintained in accordance with the approved details for the lifetime of the development.  
REASON: To ensure that the development is suitably drained and to prevent flooding in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
9. The pitch hereby permitted shall not be brought into use unless and until a post construction certificate, confirming that the surface water drainage works have been constructed as stated and detailed in the Flood Risk Assessment and Drainage Strategy, has been submitted to and approved in writing by the Local Planning Authority .  
REASON: As the drainage strategy uses a combination of underground and overground attenuation and it is therefore important to ensure the developer has fully complied with and constructed the flood mitigation features as detailed and designed, and in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.

## INFORMATIVES

1. Within the boundaries of Crawley Borough Council, the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

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

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

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

2. Given the nature of the proposed development, it is possible that a crane may be required during its construction. Gatwick Airport would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please visit Crane Permits ([gatwickairport.com](http://gatwickairport.com)) or email [cranes@gatwickairport.com](mailto:cranes@gatwickairport.com).

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3. With regard to drainage and conditions 8 and 9, the developer should note that it would be advisable to engage a third party consultant, which must not be the consultant responsible for the design of any aspect of the drainage strategy/plan, during the construction phase of the permeable sub-base of the pitch before the 3G facility is overlaid to ensure they can provide the required certification for this aspect of the work.

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

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



# 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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# Agenda Item 8

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 4 December 2023  
REPORT NO: PES/447(d)

**REFERENCE NO: CR/2023/0357/OUT**

**LOCATION:** [FORMER PAY AND DISPLAY CAR PARK, TELFORD PLACE, THREE BRIDGES, CRAWLEY](#)

**WARD:** Three Bridges

**PROPOSAL:** OUTLINE APPLICATION FOR UP TO 300 SELF-CONTAINED AFFORDABLE RESIDENTIAL UNITS TO PROVIDE LATER LIVING (C2 USE CLASS) AND AFFORDABLE RENT/SHARED OWNERSHIP (C3 USE CLASS) ACCOMMODATION WITH PRIVATE AND COMMUNAL AMENITY SPACE, TWO UNITS FOR EITHER COMMERCIAL, BUSINESS AND SERVICE (E USE CLASS) OR LOCAL COMMUNITY AND LEARNING (F USE CLASS) USES, CREATION OF NEW VEHICULAR ACCESS FROM HASLETT AVENUE EAST, CLOSURE OF EXISTING VEHICULAR ACCESS FROM SOUTHGATE AVENUE, FORMATION OF A NEW LANDSCAPED PUBLIC REALM AREA TO THE SOUTH OF CRAWLEY LIBRARY AND ANCILLARY FACILITIES SUCH AS VEHICLE PARKING, CYCLE AND BIN STORES AND PLANT ROOMS (ACCESS AND SCALE TO BE DETERMINED, WITH LAYOUT, APPEARANCE AND LANDSCAPING FORMING RESERVED MATTERS).

**TARGET DECISION DATE:** 15 September 2023

**CASE OFFICER:** Mr H. Walke

**APPLICANT'S NAME:** Affordable Housing and Healthcare Group Ltd

**AGENT'S NAME:** AHH

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

<b>Drawing Number</b>	<b>Revision</b>	<b>Drawing Title</b>
5849 1000	C	Telford Place Highway Improvements Location Plan
5849 1002	B	Telford Place Highway Improvements AutoTRACK Analysis
5849 1003	A	Telford Place Highway Improvements Chainage and Profiles
5849 1005	A	Telford Place Highway Improvements Proposed Highway Drainage and Visibility Splays
5849 1006		Telford Place Highway Improvements Standard Details Sheet 1 Of 2
5849 1007		Telford Place Highway Improvements Standard Details Sheet 2 Of 2
5849 1004	C	Telford Place Highway Improvements Proposed Contours And Materials
5849 1001	H	Telford Place Highway Improvements General Arrangement
1010 P 001		Location Plan
1010 P 100		Existing Site Plan
1010 P 101		Existing Site Sections
1010 P 201		Ground Floor Parameter Plan
1010 P 202		Upper Floor Parameter Plan
1010 P 203		Parameter Site Sections Sheet 1
1010 P 204		Parameter Site Sections Sheet 2

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## CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	GAL Aerodrome Safeguarding	No objection, subject to conditions
2.	Network Rail	No objection
3.	WSCC Highways	No objection, comments provided
4.	National Air Traffic Services (NATS)	No safeguarding objection
5.	Thames Water	No objection subject to condition
6.	Sussex Building Control Partnership	No response received
7.	Police	No objection, comments provided
8.	CBC Drainage Officer	Comments provided
9.	CBC Property Division	No comment
10.	CBC Housing Enabling & Development Manager	Supports the application
11.	CBC Planning Arboricultural Officer	No objection, comments provided
12.	UK Power Networks	No response received
13.	CBC Environment Team	No response received
14.	WSCC Planning	No comment
15.	CBC Contaminated Land Officer	No objection subject to condition
16.	CBC Environmental Health Officer	Comments provided
17.	Crawley Cycle & Walking Forum	Object on cycle parking grounds
18.	CBC Refuse & Recycling Team	Comments provided
19.	Southern Water Ltd	Comments provided
20.	CBC Energy Efficiency & Sustainability	No objection subject to conditions
21.	CBC Retail & Employment	Comments provided
22.	CBC Urban Design	No objection, comments provided
23.	WSCC Lead Local Flood Authority	Comments provided
24.	CBC Countryside & Open Space	Comments provided
25.	CBC Housing	No comments received
26.	CBC Air Quality Officer	Comments and conditions provided
27.	The Gatwick Diamond Initiative	No comments received
28.	CBC Economic Development	No comments received
29.	NHS Crawley Clinical Commissioning Group	No comments received
30.	Health & Safety Executive	Comments provided
31.	Ecology - Place Services	No objection subject to conditions
32.	Town Centre BID	No comments received
33.	Active Travel England	Comments provided
34.	Newt Officer, Nature Space	Comments provided

## NEIGHBOUR NOTIFICATIONS:-

2 to 22 Brunel Court

Denvale Trade Park - Halfords Autocentre, Tiles R Us, Unit 12b, Grahams, Unit 16, City Plumbing Supplies Ltd, Vanpoules Ltd, Builder Center Builders Yard, Bathstore.Com Ltd, Heating Plumbing Supplies Limited, Lawsons Timber Supplies, Unit 5, Busy Bees, Laminate Flooring Direct, Unit 18, The Electricity Network Company Ltd, Sally Hair and Beauty, Unit 17, Magnet Ltd, Bss, Unit 15, Fit4less, Wickes Building Supplies Ltd.

Crawley Library, Register Office (WSCC) and Esquires Coffee House

Images On Line Ltd IOL Building, Telford Place

Irwin Mitchell Belmont House, Station Way

Former Club Oasis, Telford Place

W & T Avery Ltd, Avery House, Brunel Place.



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## **RESPONSES RECEIVED:-**

Seven representations have been received from six people objecting to the scheme (109 Hazelwick Road (four responses), 21 Mitchells Road, 83 North Road, 14 Park Way, 15 Scallows Close, 35 Turnpike Place). Objection is raised to the loss of the existing oak tree in the north-east corner of the site. They state that this would be contrary to Council policy. The tree is mature and outstanding, views of it are appreciated by people in the area and it cannot be replaced by new trees. It is the only significant tree between Haslett Avenue East and the application site. It contributes to the public realm and should be preserved. Mature trees are good carbon sinks and should be preserved to fulfil this function and help tackle climate change. The design should be reconsidered to retain the tree, by finding an alternative access or reducing the development size. The proposal would harm green areas and trees around the town centre. The biodiversity net gain report does not acknowledge the loss of biodiversity from the removal of the oak tree. Replacement planting of 300 trees on and off site will not outweigh retaining the oak tree. Removal should be a last resort. One objection also raised the proposed access onto Haslett Avenue East at the Denvale Park roundabout. The response refers to further phases of housing development in the area and, whilst expressing support for the housing, states that the proposal should have its access onto Southgate Avenue. Denvale Park roundabout is already frequently too busy. There is no safety issue at the Southgate Avenue access, so no need to change the access to be from Haslett Avenue East. Concerns are raised about the ecology work undertaken by the applicant, biodiversity net gain and the Council's Environmental Impact Assessment screening opinion. One objector states that the application does not comply with the Council's validation requirements and should be withdrawn and resubmitted.

Four representations have been received from people in support of the scheme (78 Broadgate, 39 Cook Road, 59 Page Court and 31 Stafford Road). The comments state that they are impressed by the well thought out scheme providing a variety of accommodation on land that has been underused for too long. The proposal would give residents, like healthcare professionals, the opportunity to have an affordable home in Crawley. Looking after elderly residents in their own home would be another benefit for Crawley. The location is close to the railway station for those who commute to work. The proposal would create jobs. The closure of the Southgate Avenue access is good because exiting Telford Place is dangerous and pedestrians cannot predict cars turning in due to the bus lane. The proposal should have a green link, joining it to Memorial Gardens. The scheme should be detailed to include a high number of trees and other foliage suitable for a changing climate. The buildings need to be well maintained and should be complementary to the library building. Impressed with the plans for sustainability and green spaces. Positive comments about the public exhibition at Crawley library.

County Mall Shopping Centre has also written in support of the proposal, stating that it would be a welcome addition and that the green space would enhance the area and complement Memorial Gardens.

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

The proposal is a major development.

## **THE APPLICATION SITE:-**

- 1.1 Until recently, the main part of the site was in use as a public car park. It remains generally open and hard surfaced, but has now been enclosed by a timber hoarding of around two metres in height. The application site also includes the Telford Place public highway, which runs around the northern and eastern boundaries of the former car park. The Telford Place carriageway also serves four commercial units to the south and east of the former car park. The application site also includes land between Crawley Library, Telford Place and the Denvale Trade Park. The library and trade park are accessed from Haslett Avenue East.
- 1.2 The majority of the site, including the former car park and the Telford Place carriageway, is owned by Crawley Borough Council. The north-east part of the site, which is largely used as part of the library car park, is owned by West Sussex County Council.
- 1.3 To the north of Telford Place is Crawley Library, a modern, four storey building. Southgate Avenue, a busy road forming a key access into the town centre, runs to the west of the site. There are a variety

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of commercial uses to the east and south, including Denvale Trade Park. The railway line between Three Bridges and Crawley stations runs further to the south, with Southgate Park lying beyond.

- 1.4 The site lies within the Town Centre boundary and a Priority Area for District Energy Networks, as defined by the Local Plan. It, along with the commercial units to the south, is allocated as a Town Centre Key Opportunity Site. Council records show the site as potentially contaminated land, due to previous commercial uses. The site is within the Long Distance View Splay from Tilgate Park as identified by the Local Policy CH8. A ten metre railway buffer extends into the wider site from the south. The site lies within the Sussex North Water Resource Zone and is therefore affected by the need to demonstrate water neutrality. An area of Structural Landscaping, as set out in Policy CH7, runs along the western boundary and extends to the south across Southgate Park. Southgate Park is also an Archaeological Notification Area. The land to the east, which is in commercial use, forms part of the Three Bridges Corridor Main Employment Area defined in the Local Plan.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 This is an outline application seeking planning permission for a predominantly residential development of up to 300 self-contained residential units. These would provide a mix of Later Living/older person (use class C2) flats, with related communal facilities, and also shared ownership and affordable rent (use class C3) flats. New commercial floorspace is also proposed, along with public realm improvements, a landscaped courtyard and parking/servicing facilities.
- 2.2 The applicant wishes for access and scale to be considered in full at this outline stage, with layout, appearance and landscaping forming reserved matters to be considered later. This is an amendment to the initial submission, with layout originally proposed to be addressed in full as part of this application but now a reserved matter.
- 2.3 A new vehicular access would be taken from Haslett Avenue East to serve the development, with the current Telford Place access from Southgate Avenue closed to vehicular traffic. Pedestrian and cycle access to the development would be from Southgate Avenue and Telford Place to the west, north and east of the proposed building. A public realm area would be formed to the north, which would create a traffic free area between the proposed development and Crawley Library to the north.
- 2.4 In terms of scale, the applicant proposes a development with blocks running along each side and a central courtyard. The development would vary in height, between four and twelve storeys. It would reach its highest points on the south-western, north-western and north-eastern corners. The central sections on the northern and southern ends of the development would be lower. The applicant has submitted a number of parameter plans, which set out the scale proposed. These parameter plans set out the maximum heights of different parts of the development and also the maximum extent of built form across the site.
- 2.5 Formal approval is sought for the details shown on the highways and access drawings and for the built form shown on the parameter plans. The applicant has also submitted various drawings illustrating the development. For layout, appearance and landscaping these are purely illustrative and shows development blocks around the edges of the site. In the centre would be podium landscaped courtyard, providing amenity space for residents, at first floor level over a ground level undercroft car park. Pedestrian access to the development would be taken from the public realm area to the north and from the Southgate Avenue frontage.
- 2.6 In support of the application, the applicant has submitted the following documents:
- Design & Access Statement
  - Planning Statement
  - Daylight/Sunlight Report
  - Transport Assessment
  - Travel Plan
  - Ecological Appraisal
  - Water Neutrality Statement
  - Biodiversity Net Gain Assessment



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- Arboricultural Impact Appraisal and Method Statement
- Tree Protection Plan
- Outline Energy Statement
- Sustainability Statement
- Environmental Noise Survey
- Air Quality Assessment
- Contaminated Land and Geotechnical Investigation Report
- Flood Risk Assessment and Drainage Strategy
- Aviation Safeguarding Assessment
- Archaeological Desk Based Assessment
- Utilities Infrastructure Assessment
- Affordable Housing Scheme
- Economic Statement
- Statement of Community Involvement

2.7 In response to the submission of this outline application and in accordance with the Environmental Impact Assessment Regulations, a screening opinion was issued confirming that Environmental Impact Assessment was not required for the proposed development.

## **PLANNING HISTORY:-**

3.1 The site has the following relevant planning history:

**CR/2017/0680/FUL** – APPLICATION FOR CONTINUED USE OF SITE TO PROVIDE 168 SHORT/MEDIUM STAY PUBLIC CAR PARK SPACES FOR A TEMPORARY PERIOD OF 12 MONTHS. Permit 05/07/18

**CR/2012/0421/FUL** – TEMPORARY USE OF SITE TO PROVIDE 168 SHORT/MEDIUM STAY PUBLIC CAR PARK SPACES FOR A PERIOD OF 24 MONTHS. Permit 17/12/12

**CR/2011/0278/DEM** – PRIOR NOTIFICATION OF PROPOSED DEMOLITION. Prior Approval Not Required 14/07/21

**CR/2007/0114/OUT** – REDEVELOPMENT OF LAND FOR THE ERECTION OF A MIXED USE BUILDING COMPRISING 872.5 SQ. M. OF NEW RETAIL (A1) FLOORSPACE ON GROUND FLOOR WITH 30 PARKING SPACES, 312 RESIDENTIAL UNITS ON GROUND TO SIXTH FLOORS WITH 198 PARKING SPACES AT GROUND FLOOR, RESIDENTS GYM, MANAGEMENT SUITE; AND 487 CYCLE PARKING SPACES WITH ASSOCIATED LANDSCAPING, REFUSE AREAS AND HIGHWAY WORKS. Permit 04/05/07

## **PLANNING POLICY:-**

### **National Planning Policy Framework**

4.1 The revised National Planning Policy Framework (NPPF) was updated in September 2023. It includes the presumption in favour of sustainable development in approving developments that accord with the development plan without delay or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts or it would be contrary to policies in the NPPF.

4.2 The NPPF states that planning should support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that are needed. It states that decisions should support the role that town centres play in communities and support their growth, management and adaptation. Within them, residential development should be supported where appropriate. Development should be focussed on sustainable locations and travel by means such as foot, bus and cycle is encouraged. Planning should make effective use of land. Development should secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

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- 4.3 Section 12 states that the *“creation of high quality, beautiful and sustainable 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.”* Paragraph 130 sets out a range of design requirements and paragraph 131 emphasises the importance of trees in urban environments. Development should also address climate change, energy consumption and biodiversity.
- 4.4 Paragraph 57 states that planning obligations should only be sought where they meet all of the following tests:
- *“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.”*

## Crawley Borough Local Plan 2015-2030

- 4.5 The following policies are relevant to this application:

- Policy SD1 (Presumption in Favour of Sustainable Development): In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles): States that the neighbourhood principle will be 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) States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, 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) All proposals for development in Crawley will be required to be based on a thorough understanding of the site and its context, 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, retain a good standard of amenity, retain trees and provide appropriate access, manoeuvring and circulation space.
- Policy CH4 (Comprehensive Development and Efficient Use of Land): States that development must use land efficiently, not prejudice either the potential of adjoining land or the proper planning and phasing of wider development.
- 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. New dwellings should, as a minimum, meet the nationally described space standards in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings.
- Policy CH6 (Tree Planting and Replacement Standards): Requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- Policy CH7 (Structural Landscaping): Identifies key areas of soft landscaping which contribute to the character, setting and screening of the town and which should be protected and/or enhanced.
- Policy CH8 (Important views): Requires that the important views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The site lies within the Long Distance View Splay from Tilgate Park.
- Policy EC1 (Sustainable Economic Growth): States that Crawley’s role as the key economic driver for the Gatwick Diamond will be protected and enhanced. Existing Main Employment Areas will be a focus for sustainable economic growth.
- Policy EC2 (Economic Growth in the Main Employment Areas): Highlights the role of the Main Employment Areas, including the town centre, in contributing to the economy of Crawley and the wider area. Proposals for employment generating development in these locations will be

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supported where they contribute to the characteristics of the area and the overall economic function of the town.

- Policy EC6 (Development Sites within the Town Centre Boundary): States that sites within the Town Centre Boundary provide an important opportunity to promote town centre viability in a sustainable location through mixed use development that meets the economic and housing needs of the borough. Telford Place is identified as part of one of four Key Opportunity Sites, from which minimum delivery of 499 net residential units will be required across all sites.
- Policy EC7 (Retail and Leisure Development outside the Primary Shopping Area): States that proposals for edge of centre development will be permitted where they cannot be accommodated on more central sites and where the impact would not undermine the vitality and viability of the town centre.
- Policy H1 (Housing Provision): The Council will positively consider proposals for the provision of housing to meet local housing needs, take a proactive approach to identifying sites and help to overcome constraints where possible.
- Policy H2 (Key Housing Sites): Demonstrates how the Local Plan makes provision for the delivery of a minimum of 5,100 net additional dwellings in the borough between 2015 and 2030, including a minimum of 499 net dwellings on the four Town Centre Key Opportunity Sites (including Telford Place).
- 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. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first-time buyers.
- Policy ENV1 (Green Infrastructure): Advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through various measures including protection, enhancement and integration with new development, mitigating harm and maintaining and extending links where possible, including through larger proposals.
- Policy ENV2 (Biodiversity): States that all development proposals will be expected to incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features of nature conservation value within and around the development.
- Policy ENV5 (Provision of Open Space and Recreational Facilities): Requires development to make provision for open space and recreational facilities and confirms that the Community Infrastructure Levy will be used to enhance open space to mitigate the impact of increased population. On-site provision of open space on larger sites may be appropriate as an integral part of the development.
- Policy ENV6 (Sustainable Design and Construction): Requires all development to demonstrate how it will meet sustainability objectives, both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.
- Policy ENV7 (District Energy Networks): Requires any major development proposal to demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- 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. Non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies.
- Policy ENV10 (Pollution Management and Land Contamination): States that, where a site is known or suspected to be contaminated, information must be provided detailing the methodology to address risks and the treatment/removal of contaminants prior to commencement.
- Policy ENV11 (Development and Noise): Advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex. For transport sources, the Unacceptable Adverse Effect is considered to occur where noise exposure is above 66dB LAeq,16hr (57dB LAeq,8hr at night).

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- 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.
- 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 IN3 (Development and Requirements for Sustainable Transport) Advises that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.
- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the Borough Council's car and cycle standards.

## Draft Crawley Borough Local Plan 2024-2040

4.6 The Local Plan Review 2024-2040 was submitted for examination on 31 July 2023. The examination commenced on 21 November 2023. Limited 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 CL3 (Movement Patterns, Layout and Sustainable Urban Design)
- Policy CL4 (Compact Development – Layout, Scale and Appearance)
- Policy CL6 (Structural Landscaping)
- Policy CL7 (Important and Valued Landscape and Views)
- Policy DD1 (Normal Requirements of All New Development)
- Policy DD2 (Inclusive Design)
- Policy DD3 (Standards for All New Dwellings (including conversion))
- Policy DD4 (Tree Replacement Standards)
- Policy IN1 (Infrastructure Provision)
- Policy EC1 (Sustainable Economic Growth)
- Policy EC2 (Economic Growth in Main Employment Areas)
- Policy EC5 (Employment and Skills Development)
- Policy TC2 (Town Centre Neighbourhood Facilities)
- Policy TC3 (Town Centre Key Opportunity Sites)
- Policy H1 (Housing Provision)
- Policy H2 (Key Housing Sites)
- Policy H3 (Housing Typologies)
- Policy H3b (Densification, Infill Opportunities and Small Sites)
- Policy H3c (Town Centre Sites)
- Policy H4 (Future Housing Mix)
- Policy H5 (Affordable Housing)
- Policy GI1 (Green Infrastructure)
- Policy GI3 (Biodiversity Net Gain)
- Policy SDC1 (Sustainable Design and Construction)
- Policy SDC3 (Tackling Water Stress)
- Policy SDC4 (Water Neutrality)
- 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)

4.7 Following public consultation in summer 2023 the following policies received only supportive comments or have no significant unresolved objections and are therefore considered to have significant weight. These are:

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- Policy DD5 (Aerodrome Safeguarding) states that development will only be supported if it is consistent with the continued safe operation of Gatwick Airport.
- Policy OS2 (Provision of Open Space and Recreational Facilities) states that the Council will seek a financial contribution towards open space where it cannot be reasonably be provided on site. Higher density town centre development will be required to consider opportunities for on-site amenity space, play space and community food growing space.
- Policy IN3 (Supporting High Quality Communications) requires residential development of one unit or more to have provision for gigabit-capable full fibre broadband.
- Policy TC4 (Active and Engaging Frontages) requires town centre development to achieve active frontages at ground floor level to engage positively with the public realm.
- Policy SDC2 (District Energy Networks) confirms that priority areas for District Energy Networks are shown in the plan. Major developments within a priority area should follow the hierarchy within the policy, which prioritises connecting to an existing District Energy Network.
- Policy EP3 (Land and Water Quality) seeks to ensure people's health and quality of life, property and the wider environment will be protected from land contamination.
- Policy EP5 (Air Quality) requires people's health, quality of life and the wider environment to be protected from the significant adverse effects of atmospheric pollution. Development should help to improve air quality.
- Policy EP6 (External Lighting) states that development must demonstrate how it will minimise light pollution to as to avoid significant harm to biodiversity and prevent unacceptable sky glow, glare, light spillage and unnecessary energy usage.

## Supplementary Planning Documents

4.8 The Council's following Supplementary Planning Documents and Guidance Notes are also relevant to this application:

- Planning and Climate Change (October 2016) – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.
- Urban Design (October 2016) – With specific reference to Crawley's character, the SPD addresses in more detail the seven key principles of good urban design identified in Local Plan Policy CH2. The principles cover Character, Continuity and Enclosure, Quality of the Public Realm, Ease of Movement, Legibility, Adaptability and Diversity. The document also sets out the car and cycle parking standards for the Borough.
- Green Infrastructure (October 2016) – Sets out the Council's approach to trees, open space and biodiversity. The Local Plan identifies a corridor extending to the north from the application site as Structural Landscaping and the SPD gives guidance on supporting and enhancing Structural Landscaping. It also includes the justification and calculations for tree replacement and new tree planting under Policy CH6. A contribution of £700 per tree is sought for each new dwelling.
- Town Centre (October 2016) – Supports regeneration and development to promote the economic growth, vitality and viability of the town centre, which forms a sustainable location for development. The Town Centre SPD sets a vision to *"create a residential-led, mixed-use development on the site that will contribute to establishing a gateway landmark at the town centre's south eastern entrance."* It should be noted that the allocation includes the land to the south of the current application site. The SPD states that the building should open onto the Library plaza and include active frontages. Permeability and non-motorised movement should be improved and the existing east-west alignment of Telford Place should be replaced by an extension to the Library plaza. A high density development is envisaged with a lower block fronting the plaza. If the new access cannot be delivered, the SPD proposes a new east-west link from Southgate Avenue further south in the application site.
- Affordable Housing (adopted November 2017) - This SPD includes further guidance on affordable housing policies within the Local Plan.
- Developer Contributions Guidance Note (adopted July 2016) Following the introduction of the Community Infrastructure Levy, this guidance note sets out the Council's approach to securing contributions towards infrastructure provision.

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## Community Infrastructure Levy Charging Schedule

- 4.9 The Crawley CIL Charging Schedule has been in effect since 17 August 2016 and is also relevant to this application as the proposal would create new dwellings.

### **PLANNING CONSIDERATIONS:-**

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

- Principle of development
- Scale of development and design
- Neighbouring amenity
- Residential accommodation and living environment for future occupiers
- Transport and parking
- Sustainability
- Trees and landscaping
- Ecology
- Aviation issues
- Contamination and air quality
- Drainage and utilities
- Water neutrality
- Affordable housing
- Infrastructure contributions
- Other issues.

### Principle of development

- 5.2 The application site forms previously developed land lying in a highly sustainable location immediately to the east of Crawley town centre. It lies within a short walk of shops, commercial premises, the library and a range of leisure and food/drink outlets. Memorial Gardens is close by to the north-west and Southgate Park lies to the south, beyond the railway line. Crawley railway and bus stations are both a short distance to the west.
- 5.3 The application site, along with the land immediately to the south, is allocated in the adopted Local Plan for the provision of housing. Policies EC6 and H2, together with the Town Centre SPD, specifically identify four Town Centre Key Opportunity Sites, including the wider Telford Place site, as being suitable for redevelopment. A minimum residential requirement of 499 net dwellings is sought across the four Key Opportunity Sites. That minimum target has almost been met, with planning permission issued for a total of 490 residential units on the Town Hall and Crawley Station and car parks site. Residential use of town centre sites is also encouraged by the NPPF. The draft Crawley Borough Local Plan 2024-2040 seeks 1,500 net dwellings across seven Town Centre Key Opportunity Sites. Telford Place is one of the sites and is described as deliverable within the first five years of the plan period.
- 5.4 The proposal would deliver up to 300 self-contained affordable residential units. These would be a mix of Later Living extra care units for older people (C2 use class) and affordable rent/shared ownership flats (C3 use class). This would help to meet the housing delivery target set out in Policy H1, as well as the site specific requirements set out in policies EC6 and H2 and the supporting Town Centre SPD. It would also accord with the proposed allocation in the draft Local Plan.
- 5.5 The Council's Housing Enabling and Development Manager has written in support of the application stating:

*"Housing Strategic Services is in full support of this Telford Place planning application, which we acknowledge far exceeds planning policy requirements by offering 100% affordable housing, and we are particularly satisfied with the mixed tenure proposal which addresses a wide range of affordable housing needs.*

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*While the scheme is proposing general needs tenures in the form of Affordable Rent as well as Shared-Ownership for first-time buyers and key-workers, we are particularly pleased with the introduction of a unique tenure for Crawley in the form of Older-Persons Shared-Ownership, aimed at over-55's, offering an affordable retirement solution including the provision of care as may be required. As a result, the community being created at Telford Place will accommodate the life-passage of housing needs across all age groups, and in an integrated community setting.*

*This Telford Place site is of strategic significance towards the regeneration of Crawley Town Centre, which has proven challenging to bring forward, and Housing Strategic Services is delighted with the proposed enhancement that this scheme will bring to the town centre, and the significant contribution this scheme will make towards meeting the Council's very pressing need for affordable housing, and accordingly this planning application carries our full support."*

- 5.6 The Economic Statement submitted with the outline application states that the development would generate the equivalent of 142 full time jobs over the projected four year construction period, with a related positive impact on the wider economy. The proposed development includes two commercial units, with a total floor area of 153 square metres. The Economic Statement also states that occupation of the proposed commercial units, depending on their specific use, would generate between 8-15 full time equivalent jobs. It is anticipated that the residential uses would generate around 50 full time equivalent jobs, in roles such as care provision, property management and maintenance, catering and landscaping. The temporary construction roles and subsequent permanent positions would all have a positive impact upon Crawley's economy. The development would also introduce a significant number of new residents into the area, helping to support the town centre economy.
- 5.7 The proposed uses also include commercial space (use classes E or F), which could be used for purposes such as offices, retail, restaurant/café or community use. It is considered that the site represents an edge-of-centre site in terms of the NPPF although, due to the limited floorspace, no impact assessment is required. Planning policy directs that sites within the Primary Shopping Area should be considered before edge-of-centre sites are considered. There are potentially available vacant units of a similar size within the Primary Shopping Area. However, the proposed commercial space would provide an active frontage onto the proposed public realm area between the development and Crawley Library, forms part of the wider comprehensive development proposed and is located in very close proximity to the Primary Shopping Area. It is not of a scale that would have a harmful impact upon the town centre, but would be likely to have a beneficial impact upon the current proposals and the success of the proposed public realm. It is therefore considered that the policy requirements relating to shopping areas have been satisfactorily addressed.
- 5.8 The proposal would represent a highly significant contribution towards housing delivery in the town centre, including major provision of housing for older people and people in need of care, on a site allocated within the Local Plan. It would bring a long vacant (other than for temporary car parking) site back into a far more beneficial use. The principle of redeveloping the site for these purposes is therefore considered acceptable and in line with both local and national planning policies.

## Scale of development and design

- 5.9 This is an outline application with scale to be determined at this stage, but with layout and appearance to form reserved matters. Various illustrative drawings and details have been submitted too. These are helpful in illustrating how the proposed development could look, but are not to be approved at this stage.
- 5.10 In addressing scale, the applicant has submitted a series of parameter plans. These show the extent, both in terms of height and footprint/massing of the blocks that would form the development. The parameter plans would be approved as part of this outline application and would set the maximum height and extent of the proposed buildings. The maximum height proposed (116.60 metres AOD including lift overrun) accords with the maximum height allowed by Gatwick Airport. The illustrative scheme has lower towers on the north-east (112.55 metres AOD) and south-west (109.40 metres AOD). The development would step down along the four sides, with the main pedestrian entrance from the northern plaza and the car park entrance area being at podium level (effectively single storey). These lower levels will help highlight the entrance and allow light penetration into the

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courtyard and proposed buildings. The Council's Urban Designer has raised no objection to the massing and scale proposed, although comments that a high level of detail will be required in future application to address design issues.

- 5.11 The proposed buildings, due to their height, would be visible over a fairly wide area, including views from Southgate Park, Memorial Gardens and parts of the Queens Square and The Broadway conservation area. The urban context includes existing tall buildings along The Boulevard and at Crawley College, as well as a number of recent approvals for buildings of a similar height on sites such as Moka and adjacent to Crawley railway station. In this context and given the separation distances from more sensitive nearby areas, the proposed scale and massing is considered acceptable.
- 5.12 The site is set within the long distance view from Tilgate Park. Given the proposed height, the development would be visible in that view. However, it would be viewed in the context of the wider urban area and with the recent taller buildings, such as the Town Hall and Geraint Thomas House, also visible, along with, in future, permitted schemes such as Moka and Station Gateway. It is not considered that significant harm to the long distance view would result.
- 5.13 The illustrative scheme would create a podium landscaped courtyard with primarily residential blocks enclosing it. Residents of the proposed development would benefit from views onto the landscaped courtyard. Two commercial units and the restaurant for the Later Living (C2) flats on the northern side of the building would face onto the proposed new public realm area. These would provide the required active frontage and help to create an attractive and lively plaza between the library and the proposed development. Layout and appearance would be determined as reserved matters if outline planning permission is granted, but officers would work with the applicant to ensure that a high quality scheme, including design, materials and landscaping, is achieved.

## Neighbouring amenity

- 5.14 There are no residential properties in close proximity to the site. The nearest flats are in Brunel Court, which lies to the south-west on the opposite side of Southgate Avenue just to the north of the railway line. Brunel Court is approximately 56 metres away from the proposed building. This distance considerably exceeds the 30 metre minimum distance set out the Urban Design SPD and any views between the buildings would be angled. Given the busy road separating them, it is not considered that the proposal would cause any significant impact upon occupants of Brunel Court.
- 5.15 The other neighbouring buildings are Crawley Library and Registry Office to the north, commercial units within the Denvale Trade Park to the north-east and to the south of Telford Place, offices uses in Avery House and Belmont House to the west and County Mall, also to the west.
- 5.16 Crawley Library and Registry Office is potentially the most affected neighbour. The proposed building would be to the south of the library and up to a maximum of twelve storeys high. The height would be staggered on the north elevation of the proposed building, with the tallest elements currently proposed to be on the north-west and north-east corners. The library building is approximately 48 metres north of the proposed building. In overlooking terms, this exceeds the policy requirement of 30 metres and, as a public building, the library is less sensitive to overlooking. The building is lit by artificial light throughout its working hours and the applicant's Daylight and Sunlight Assessment therefore argues that any loss of light would not be significant. Although the relationship has not been assessed in the Daylight and Sunlight Assessment, the building would be up to 42 metres high on the north-west corner and 37 metres on the north-east corner. Some loss of light and overbearing impact upon the library could result, although the drop in height in the centre of the northern block of the development would help mitigate this.
- 5.17 County Mall has blank elevations facing the site and no adverse impact through matters such as overlooking or overshadowing would result. As a neighbour, County Mall's operators have written in support of the scheme, welcoming the open green space that the scheme would provide. The proximity of residents in the proposed scheme to County Mall would also, to some extent help to support the ongoing viability of businesses within County Mall.



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- 5.18 The adjoining occupiers of Denvale Trade Park and the commercial units to the south of Telford Place have industrial sheds with limited fenestration. Given their employment related uses and limited availability of natural light at present, it is not considered that the proposal would have a significant impact upon the use of the buildings. These occupiers would notice additional traffic movements along the proposed vehicular access and onto Haslett Avenue East. This is addressed in the transport section below.

## Residential accommodation and living environment for future occupiers

- 5.19 Policy CH5 (Standards for All New Dwellings (including conversions) of the Crawley Borough Local Plan 2015-2030 and Policy DD3 of the Draft Local Plan state that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents through the application of Building Regulations and would meet the Nationally Described Space Standards.
- 5.20 The Design and Access Statement confirms that all flats within the outline proposal would meet the national minimum space standards. It states that all flats would have a minimum balcony/patio area of 5 square metres as required. These requirements can be addressed in detail at Reserved Matters stage, but conditions are recommended at outline stage to ensure that they are fully addressed.
- 5.21 With regard to the Extra Care provision, the Design and Access Statement confirms that the flats would meet Lifetime Homes standards, would meet the Building Regulations requirements for Accessible and Adaptable Dwellings and that fully wheelchair accessible flats can be provided as required by local circumstances. At this stage, the level of detail provided is satisfactory and these issues can be pursued further through the reserved matters application dealing with layout and appearance.
- 5.22 The applicant's Daylight and Sunlight Assessment uses the BRE guidance to assess, as far as possible at this outline stage, the availability of natural light within the proposed flats, the central courtyard and the public realm area between the proposal and Crawley Library. The Daylight and Sunlight Assessment states that around 80% of rooms within the proposed development would achieve the required levels of daylight. Further refinement to the scheme in preparing a reserved matters application could increase this, through detailed consideration of room layout, shape and size, together with window and balcony positions. As scale is to be approved at this stage, the assessment of sunlight within the proposed courtyard has been carried out. This shows that 70% of its area would achieve the required standard of two hours sunlight on 21 March. The same assessment for the public realm area to the north showed full compliance. Overall, it is considered that sufficient evidence has been submitted at this stage to conclude that the scheme should deliver adequate levels of daylight and sunlight for future occupiers.
- 5.23 The proposal would create a substantial development of up to twelve storeys in height. There would be a central courtyard and public realm area running east-west between the site and the library. As with the Town Hall application, officers consider that a wind assessment should be undertaken to ensure that the spaces within and around the development and the roof terraces benefit from an environment that is suitable for pedestrian usage and, in the case of the roof terraces, for seated leisure use. This can be secured by condition, along with any mitigation, such as screens, that may be required.
- 5.24 Sussex Police has commented on security and other issues associated with the proposal, following liaison with the applicant. The Police comments highlight their Crime Prevention Through Environmental Design and Secured By Design initiatives. Their comments cover matters such as access controls, compartmentalisation of the development, cycle parking, routes through the development, undercroft car parking, lighting, landscaping, licensing and alarms. These are important matters, but cannot be fully addressed at this outline stage. It is therefore recommended that they are addressed by a condition requiring a security strategy to be submitted and agreed.

## Transport and parking

- 5.25 The site is currently accessed by vehicles from Southgate Avenue, with Telford Place running east from the junction initially and then turning south. As well as serving the former car park on the

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application site, Telford Place also provides vehicular access to a number of businesses to the south and east of the site. Telford Place forms a cul-de-sac, with a roundabout at the southern end providing a turning head.

- 5.26 The proposal would alter the access arrangements to the site. Full planning permission is sought for the proposed accesses to the development. In accordance with the adopted Town Centre Supplementary Planning Document, vehicular access would be taken from the Haslett Avenue East roundabout and then the Denvale Trade Park mini roundabout. The remaining east-west stretch of Telford Place to the north of the application site, between Southgate Avenue and the new access road, would be pedestrianised, landscaped and used to create new public realm. The existing Southgate Avenue/Telford Place junction would be closed to vehicular traffic, although would remain open for pedestrian and cyclists.
- 5.27 The site's former use as a public car park provided around 168 spaces. The east-west section of Telford Place provides 27 pay and display parking spaces to the north of the carriageway, with a further five spaces on the north-south section. Otherwise, there are double yellow line parking restrictions in force along the road. The Crawley Library car park provides 40 spaces, accessed from Haslett Avenue East.
- 5.28 The proposal seeks outline planning permission for up to 300 flats. Approval of access is sought in full as part of the application. Layout, which would include the proposed car and cycle parking arrangements under the building and courtyard, would be a reserved matter. The illustrative scheme shows 75 undercroft car parking spaces beneath the proposed building and a further 15 on-street spaces. Of the on-street spaces to the north of the site, twelve would be for public parking and three would be for car club provision.
- 5.29 The application is supported by a Transport Assessment (TA). WSCC Highways state that the proposal was the subject of pre-application advice. The Transport Assessment includes trip generation data from the Trip Rate Information System (TRICS) database, a Stage 1 Road Safety Audit (RSA) and junction capacity testing. Highways officers have visited the site in assessing the application.
- 5.30 The Telford Place site is situated within a sustainable location, close to the range of facilities available in the town centre. The Manual for Streets and the CIHT document, Providing for Journeys on Foot, recognise that walking can replace some car journeys for trips of up to 2km in distance and that journeys of up to 800 metres are frequently undertaken on foot. The whole town centre is within walking distance. WSCC Highways comment that there are good walking routes to/from the site. A signalised crossing is adjacent to the north-west of the site with tactile paving and pedestrian refuge over the Southgate Avenue dual carriageway. Shared cycle routes are available along Southgate Avenue and Haslett Avenue. Crawley railway and bus stations are also in close proximity. Bus services pass the site along Southgate Avenue and Haslett Avenue East. Future occupiers would therefore have access to a wide range of sustainable transport options.
- 5.31 The Transport Assessment sets out detailed information, using TRICS data, on proposed and former traffic flows, based on the proposed use and the former public car park use of the site. This data shows that the proposal (maximum of 300 units) could generate 42-49 two way movements during the AM and PM peak hour periods, and a total of 553 two-way movements across the day. The Transport Assessment compares this to the previous use and suggests the proposal would represent a reduction of 38-57 vehicle movements at peak hours. The capacity of nearby junctions has been assessed and WSCC Highways are satisfied that the junctions would continue to operate within capacity in all scenarios with little queuing or delays. They therefore raise no concerns about adverse impact upon the surrounding road network. A Stage 1 Road Safety Audit has also been undertaken, queries raised by WSCC have been addressed and it is now considered to be acceptable.
- 5.32 A small parking area would be provided off the new access road (north of the proposed building) with three dedicated car club spaces and five public spaces. This would represent a slight loss in on street parking on Telford Place, in order to deliver the proposed public realm improvements. WSCC Highways suggest turning provision be made within this space, but are otherwise satisfied with the proposed arrangements. An additional seven public parking bays would be provided further south on

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Telford Place to help mitigate the loss. Clearly there are many other public vehicle parking options nearby, including the library car park, County Mall and Kingsgate.

- 5.33 The existing cycleway on Southgate Avenue would not be affected, but the applicant proposes new tactile paving to connect the proposed public realm area to the existing toucan crossing over Southgate Avenue. The east-west section of Telford Place would be converted to a pedestrian and cycle zone, providing access from Southgate Avenue to the development and across to Haslett Avenue East. The public realm area would be subject to further consideration as part of the landscaping scheme, but the intention is to secure pedestrian and cycle access along the route, with appropriate segregation as required.
- 5.34 WSCC Highways state that the access would have sufficient radii to allow large vehicles, including HGVs to manoeuvre in/out safely. Visibility splays of 2.4 metres x 25 metres would be achieved in both directions, which accord with in line with the speed limit of 20 mph and the standards within Manual for Streets. A separate two metre wide footway would provide safe access for pedestrians along the access route. These access works would be subject to a Section 278 agreement with the Local Highway Authority. Servicing, such as refuse/recycling collections and deliveries, is proposed to take place within the development, with a turning area to allow access/egress in a forward gear. Full details would be provided in assessing layout as part of a reserved matters application.
- 5.35 The proposed access from Haslett Avenue East would involve the loss of the existing oak tree to the north-east of the application site. The arboricultural impact of this is addressed below. Objections have been received to its loss. Given the proposed loss of the tree, planning officers, the applicant's transport consultant and WSCC Highways considered routing alternatives that would not require the loss of the tree. One option considered was to divert the access road around the oak tree to the west. A second option was to create a single lane, priority route to the east of the tree.
- 5.36 The first option would involve a significant diversion of the access route around the west side of the tree. The route would encroach significantly on parking provision within the Crawley Library car park, reducing the number of spaces from 46 to around 26, and would be likely to create a difficult junction layout. Proposed public on-street spaces in Telford Place would also be lost. It would also require widening of the access to allow HGV use and a wider junction with pedestrian refuge.
- 5.37 The second, single lane option, depending on which direction had priority, could lead to queuing traffic at the other end. This could impact upon the operation of the Denvale Trade Park roundabout. The distance between the tree and Unit 10 of Denvale Trade Park is also limited. Even if a single lane route could be achieved, it would require vehicles to pass beneath the tree's canopy. Given that HGVs would be using the route, this would necessitate raising the tree's canopy and regular pruning.
- 5.38 These options have been considered, but both would have a significant impact upon either the proposed development, public and library parking or the tree itself. Given that both options would make HGV access more challenging, occupiers of the units to the south of Telford Place may well have concerns about the impact on their businesses. The County Council, in its library and parking provider roles, would be likely to raise concerns. The applicant's highways consultant considers both options to be unacceptable in highways terms. WSCC Highways would require safety audit work and further consideration of traffic flows. Officers have concluded that neither option offers a demonstrably satisfactory solution to attempts to retain the oak tree, in either arboricultural and highways terms.
- 5.39 Since 1 June 2023, Active Travel England, an agency for the Department for Transport, has been a statutory consultee for applications for larger developments. Active Travel England seeks to help deliver walking, wheeling and cycling infrastructure on large developments to enable people to make healthier, greener and cheaper travel choices. They have commented on the application seeking enhanced provision for walking and cycling. The Active Travel England comments have referred to improvements to College Road (which have recently been carried out) and a potential toucan crossing over Southgate Avenue to the south side of Station Way.
- 5.40 Whilst improvements to active travel would be welcome, in terms of meeting the S106 tests, any improvements, either by the applicant or the Local Highway Authority, need to be necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. WSCC Highways has not stated that any of these improvements are required as a result of the

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development or sought any financial contribution towards them. There are no proposals within the Borough Council's Local Cycling and Walking Infrastructure Plan that would be directly related to the proposed development. As previously stated, the site is in an accessible and sustainable location in the town centre. Pedestrian and cycle access over Southgate Avenue, along College Road and along Southgate Avenue is good. Improvements to Station Way's public realm are planned. In this case, it is not considered that seeking a financial contribution from the applicant for off-site improvements as sought by Active Travel England is justified, although it is worth noting that the application scheme itself would deliver a significantly enhanced pedestrian and cycling environment between the development and the library.

- 5.41 The scheme is for up to 300 residential units, roughly a third of which would be Extra Care flats for older people. In this town centre location, the parking standards require one car parking space per one or two bedroom flat and two-three spaces per three or more bed flat. Based on the illustrative scheme of 293 flats, this would give a requirement for 312-331 spaces. The level of parking is below Crawley's parking standards, with the illustrative scheme showing 75 undercroft car parking spaces and 15 on-street car parking spaces. The on-street parking will comprise of 12 public spaces and 3 car club spaces. However, it should be noted that this calculation includes the Extra Care flats. In reality, many of the residents of those flats would not own or drive a car. In addition, this is a town centre location, close to a range of retail, service, leisure and sustainable transport facilities. A significantly lower level of car parking provision has previously been accepted as Geraint Thomas House and on the Moka site, both of which have a similar location on the edge of the town centre. Residents would be aware of the limited on-site parking prior to occupying a flat and the surrounding area has extensive parking controls. WSCC does not consider that the shortfall in provision against the Council's parking standards would result in safety concerns. Given the extent of parking controls in the surrounding area, significant overspill parking on surrounding streets is unlikely and would be subject to controls. The provision of three car club spaces would also offer residents the opportunity to use a car without owning one, thus reducing demand for the undercroft parking spaces. Overall, taking account of the WSCC Highways comments, previous approvals in the two centre and the site's location, the illustrative parking spaces for the proposal are considered acceptable. The final parking layout would be confirmed at reserved matters stage.
- 5.42 The applicant has revised the proposed cycle parking, increasing the number of secure space for residents spaces from 75 to 156. Visitor cycle parking has been increased from 15 to 35 spaces, with the applicant also noting that the 21 cycle spaces at Crawley Library are underutilised. The Council's cycle parking standards would require one space per one bed dwelling, two spaces per two or more bed dwelling and one space per eight dwellings for visitors. A standard in the range of one space per 100-150 sqm for staff would apply to the commercial units with an additional requirement for visitor parking.
- 5.43 The scheme seeks permission for up to 300 units. It may vary at reserved matters stage when the layout is confirmed, but the current illustrative scheme is for a total of 293 residential units. Of these, 102 units are proposed to be Extra Care Shared Ownership (C2). The applicant states that the average age of their residents is around 76 years old. There would be very few, if any, cyclists at that age. The C3 residential accommodation would include 94 one bedroom units, 79 two bedroom units and 19 three bedroom units. For the C3 accommodation, the cycle parking requirement would be 290 spaces plus visitor parking. Assuming that the commercial units are in retail use, a standard of two spaces (one staff plus one visitor) would be required per 100sqm. This would give a total of two or three spaces required. The illustrative proposal does therefore fall short of the required level of cycle parking and Crawley's Cycle and Walking Forum object on this basis. This matter will need further and more detailed consideration at reserved matters stage, so the shortfall can be addressed.
- 5.44 The applicant has submitted a Travel Plan, which WSCC Highways has confirmed accords with their requirements. The Travel Plan is considered an essential requirement to promote the use of sustainable transport and also to address the shortfall in vehicle parking. The Travel Plan sets targets for shifting transport modes from the private car (which it is assumed would account for around 48% of trips to/from the site) towards more sustainable modes, such as buses, walking and cycling. This would be subject to ongoing monitoring. Specific physical measures proposed to encourage sustainable travel include an improved pedestrian environment and footways, bus kerbs on nearby stops and three on-street car club parking spaces. Other measures include providing travel planning information, vouchers to promote sustainable travel and car club use and use of shared food

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deliveries. Implementation of the Travel Plan and the associated WSCC monitoring can be secured through a S106 agreement.

- 5.45 Appendix 12 of the Transport Assessment confirms that the applicant has contacted a car club provider, who has expressed an interest in providing up to three car club cars for the application site. It is proposed that three on-street visitor spaces south of the library car park along Telford Place would form car club spaces. The Transport Assessment states that residents of the site would benefit from three years membership and a contribution towards drive time costs. The on-street location of these car club spaces would provide passive promotion of the car club to passing members of the public, who would also be able to access the cars uptake of the car club by others, not related to the scheme. The provision of the spaces and cars can be secured through the S106 agreement and proposed Traffic Regulation Order. Electric vehicle charging points will also need to be secured as part of consideration of any reserved matters application.
- 5.46 The Local Highway Authority concludes that it *“has been demonstrated the proposals would not have a ‘Severe’ impact on the operation of the local highway network in accordance with paragraph 111 of the National Planning Policy Framework (NPPF).”* Overall, the scheme is considered acceptable in transport and highways terms, subject to securing measures to encourage and support travel by sustainable means, addressing cycle parking and to clarification of servicing and parking management.

## Sustainability

- 5.47 Local policy is contained within policies SD1, ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030 and the related Planning and Climate Change SPD. The emerging policies SD1, SDC1, SDC2 and SDC3 of the Draft Local Plan are also relevant. In support of this outline application, the applicant has provided an Outline Energy Statement and a Sustainability Statement. As this is an outline proposal, limited firm detail is currently available, but the two statements set out a clear strategy and commitment for delivering a sustainable development and meeting the local planning policy requirements.
- 5.48 The Outline Energy Statement sets out the key sustainable features to be incorporated within the scheme. These include a ‘Be Lean’ approach to building fabric to reduce energy usage and CO<sup>2</sup> emissions. A strategy for the generation and delivery of decentralised energy, through an energy centre utilising an air source heat pump heating network and, potentially, connection to the District Energy Network is proposed. The Statement also recognises the need to address issues such as daylight, overheating, noise and air quality in meeting energy needs. The Statement confirms that the scheme would deliver a 56.5% reduction in residential CO<sub>2</sub> emissions over the baseline and a 7.1% reduction in non-residential emissions.
- 5.49 A District Heating Network (DHN) is operational in part of the town centre. The network is the subject of current feasibility work about extension work along College Road, which could enable the network to serve the application site. That would enable the development to connect to a decentralised, more sustainable, less wasteful and cost-effective source of energy. The Outline Energy Statement confirms that the development would incorporate the “necessary infrastructure to facilitate future connection to the existing district heat network.” This is considered acceptable and conditions are recommended requiring details of provisions within the scheme to facilitate connection to the DHN to be agreed and, post-construction, an evaluation of the appropriateness of connecting to the DHN. These would ensure that the development is ‘network ready’ for connection to the District Heating Network and address the relevant adopted and draft policies.
- 5.50 Reference is made within the Outline Energy Strategy to the use of PV panels on appropriate roof spaces to generate additional electricity. Further detail would be provided through a Reserved Matters application. In principle, a PV array would be welcome and enhance the development’s sustainability credentials, but this would need to be subject to agreement from Gatwick Airport in relation to aviation safety. Further details can be secured by condition.
- 5.51 The Sustainability Statement also addresses a range of other issues, such as construction waste, refuse and recycling arising from occupation of the development, sourcing building materials locally

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and responsibly, along with issues such as daylighting and noise that are addressed elsewhere in this report.

- 5.52 Overall, subject to a range of further information being secured by conditions, the scheme is considered acceptable in sustainability terms.

## Trees and landscaping

- 5.53 The outline application includes an Arboricultural Impact Assessment and Method Statement. In arboricultural terms, the proposed development would involve the loss of one category A oak tree and three category C alders. The Arboricultural officer has raised no objection to the loss of the three category C trees, which are relatively small and located adjacent to the Denvale Trade Park roundabout. The applicant's report also states that the root protection areas of one category A tree and one category B tree would need to be carefully addressed and protected during construction.
- 5.54 The main concern relates to the oak tree that is proposed to be removed. This is situated in the north-east corner of the application site, adjacent to the Formula One Autocentre unit. Objections to the removal of the oak tree have been received from five respondents. They state that the tree is mature and is important in views in and around the site. They consider that the tree would soften views of the proposed development and state that it also has benefits for biodiversity and carbon storage. Some objectors state that the scheme should be redesigned to allow the tree to be retained.
- 5.55 As set out in the transport section above, planning, arboricultural and highways officers have all considered whether there are alternative access routes that could facilitate retention of the tree. The Council's Arboricultural officer comments that the alternative options considered above would compromise the root protection area of the oak tree and that one of the options would require removal of the main lower limbs on the east side of the oak. He considers that these options are impractical and disproportionate to the value of the tree. The Arboricultural officer states that the gain of 300 flats and the considerable landscaping scheme is sufficient to offset the loss of the oak tree. The removal of the oak tree has been assessed ecologically and its loss would be mitigated by the Biodiversity Net Gain proposals and the planting requirements specified in Policy CH6. Officers fully accept that the loss of the mature oak tree would result in harm visually and ecologically. This will need to be carefully considered, but there is no alternative option for access that would retain the tree without significant implications for the proposed building, parking arrangements (including the library) or the vehicular access.
- 5.56 In terms of the replacement planting, landscaping would be dealt with at reserved matters stage. In order to comply with Policy CH6 of the Local Plan and the Green Infrastructure SPD, up to 300 new trees (one per flat) would be required to be planted on site or subject to a requirement for an off-site contribution. In addition, thirteen replacement trees would be required in accordance with Policy CH6 for the proposed tree loss on site. This would give a total of up to 313 new trees to be planted.
- 5.57 Although landscaping is a reserved matter, the applicant has submitted an illustrative Proposed Site Plan with the application, along with commentary in the Design and Access Statement. The proposed development would include the creation of a new public realm area to the north of the proposed building along the east-west alignment of the existing Telford Place carriageway. This would include the planting of new trees, with 22 shown on the illustrative site plan. A further seven new trees are shown on that plan on the Southgate Avenue frontage to supplement the Structural Landscaping and nine trees along the site's southern boundary.
- 5.58 The illustrative scheme also includes a central landscaped courtyard. This too would include new tree planting. There would be a significant amount of new tree planting in the proposed courtyard and around the site boundaries. Setting aside the loss of the oak tree, this planting would significantly enhance and soften the appearance of the proposed building and create a more attractive living environment for residents.
- 5.59 The triangular piece of land along the site's western boundary contains a line of trees that are designated as Structural Landscaping in the Local Plan. These trees are to be retained and improved by new tree planting towards their northern end. Tree protection is proposed for this group, which can be secured by condition.

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- 5.60 A Tree Protection Plan has also been submitted with the outline application. Although the Council's Arboricultural officer is broadly satisfied with the details shown, the layout of the proposed development could change at reserved matters stage. It is therefore appropriate to attach a condition to any outline consent to require tree protection measures to be addressed at that stage.
- 5.61 To conclude, the loss of the oak tree on the site would be a negative impact arising from the proposed development. The applicant and officers have considered alternatives, but there is no clear solution that would retain the tree without significant impact upon the development or its access. The required replacement and additional tree planting would provide some mitigation. The harm arising from the loss of the oak tree will need to be taken into account in reaching a balanced decision on the outline application.

## Ecology

- 5.62 The applicant has submitted various documents covering ecological assessment and Biodiversity Net Gain, including a Biodiversity Metric calculation tool which is used to measure biodiversity net gains. The site's former use as a surfaced public car park limits its current ecological value, but there are some grassed areas, shrubs and trees within the site. The ecological assessment found no evidence of use of the site by protected species, although notes that it could be used by nesting birds and foraging bats. The assessment states that the loss of trees has potential to affect nesting birds and the site may have some general use by foraging bats. The applicant's ecologist recommends that swift boxes, bat boxes, other bird boxes and bee bricks should be incorporated within the scheme. Works to trees should also be carried out outside the nesting season and a lighting scheme is recommended to avoid adverse impact upon bats.
- 5.63 The details provided have been assessed by the Council's ecology consultants, Place Services. Place Services are satisfied that the proposal would deliver measurable biodiversity net gains, in compliance with the NPPF. The Biodiversity Metric calculation tool concludes that the proposal would deliver a net change of 4.85 habitat units (62.47% net change) on site. They conclude that the proposal is acceptable in ecological and biodiversity enhancement terms, subject to a number of conditions to secure implementation.
- 5.64 The site lies within a Red Zone for Great Crested Newts. Nature Space, the Local Planning Authority's advisors on newt issues, has commented on the application. They state that the development would present a low risk to great crested newts and their habitats. They recommend that an informative on great crested newts should be attached to any planning permission.
- 5.65 Overall, taking account of both the loss of vegetation including the oak tree and proposed measures, the proposal would cause no harm to protected species and would deliver measurable enhancement to the site's ecological value. The ecological improvements and Biodiversity Net Gain would be delivered within the site and can be secured by planning conditions.

## Aviation issues

- 5.66 NATS Safeguarding have confirmed that they have no objection from a safeguarding point of view. Gatwick Airport Safeguarding also raise no objection subject to conditions. The recommended conditions include a limit on the overall height of the development and the removal of permitted development rights for works that could increase the roof height. They also require the installation of obstacle lighting on the roof, the submission and implementation of a Bird Hazard Management Plan, Construction Management Strategy and, if required, renewable energy scheme. Officers are satisfied that these conditions are all necessary in order to ensure aviation safety. Subject to these conditions though, it is not considered that the proposed development would have a harmful impact upon the continued operation of Gatwick Airport.

## Contamination and air quality

- 5.67 The site has a history of commercial and vehicle related uses, including as a milk depot and builder's yard. Underground and above ground tanks are also known to have been on the site. Consequently, there are a variety of potential sources of contamination that could affect future occupants of the site.

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The applicant has submitted a Contaminated Land and Geotechnical Investigation report. This included intrusive investigations to establish contamination that might be present.

- 5.68 The conclusion is that there is a potential risk to future residents from metals, asbestos and PAH compounds, along with a need for gas protection measures. The report mentions some mitigation measures that would be required, such as excavation of contaminated soil, removal of the underground tank and an asbestos management plan.
- 5.69 Environmental Health have considered the report and recognise that a number of pollutant linkages have been identified. However, they state that the methods by which the site would be properly remediated to ensure that any potential pollutant linkages are broken have not been fully set. Further details of this necessary work are required. Environmental Health are satisfied that this can be addressed by condition.
- 5.70 The applicant has submitted an Air Quality Assessment with the application. The Council's Air Quality Management Officer has reviewed the report and accepts its findings. She considers that dust emissions during construction can be resolved by mitigation measures in accordance with best practice. This can be secured by condition.
- 5.71 In terms of the proposed use, the Assessment has calculated the impact on air quality of the additional trip rates, related pollutants and resultant harm to air quality. Using the agreed methodology, required mitigation to the value of £20,591 has been calculated. This mitigation needs to be delivered within the development and additional to any related policy requirements for other reasons. This air quality mitigation can be addressed by condition.

## Drainage and utilities

- 5.72 Southern Water have commented on the application in terms of protection of the water distribution mains. They have confirmed that they can facilitate a water supply to the proposed development. There is an existing water main running along the northern and eastern boundaries of the site within the public highway. The applicant's Utilities Infrastructure Assessment states that this may need to be diverted or lowered as part of the development, but that the developer will seek to avoid this by raising finished levels. Further information is required to address this issue, which can be secured by condition.
- 5.73 Thames Water raises no objection, subject to a condition requiring a Piling Management Plan as piling could cause damage to below ground sewerage infrastructure. They have also requested informatives relating to water and sewerage issues.
- 5.74 WSCC and the Borough Council's Drainage officer have requested conditions to address drainage issues. The conditions address matters such as the preparation of a sustainable drainage strategy, along with its implementation and ongoing maintenance.

## Water neutrality

- 5.75 The applicant submitted a Water Neutrality Statement with the application. The scheme would include water efficient fixtures and fittings, leading to a water consumption of 84.8 litres per person per day for the residential units. Further water usage has been calculated for the commercial areas, staff areas and landscaping. The Statement has taken a precautionary approach, using 300 flats, rather than the 293 flats that the illustrative scheme currently proposes to deliver. The Statement has been independently assessed by the Council's consultants, Water Environment. Clearly the proposed development would significantly increase water consumption on the site. It is proposed that this would be offset by the Crawley Homes retrofitting programme, which has been agreed. Following confirmation by Water Environment that they considered the proposal, subject to offsetting, to be water neutral, officers drafted an Appropriate Assessment. In accordance with the Habitats Regulations, Natural England were consulted on this assessment. They confirmed that, subject to securing the required offsetting, they were satisfied that the proposed development would be water neutral. The Appropriate Assessment has therefore been completed. The implementation of the water neutrality strategy, addressing the specific number of flats proposed and including both on-site measures and offsetting elsewhere, can be secured through the S106 agreement.



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## Affordable housing

- 5.76 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need. Payment in lieu will only be accepted in exceptional circumstances. Whilst limited weight can be attached to it at present, Policy H5 of the draft Local Plan is more explicit that this requirement covers both C3 and C2 residential uses.
- 5.77 The Borough Council currently owns the majority of the application site, which will be sold to the applicant if planning permission is granted. The applicant would then build the scheme and Crawley Borough Council would buy back the affordable rent element. The applicant would be responsible for delivering the shared ownership components, including the Later Living flats. The resulting development would therefore be a 100% affordable scheme, which would make a significant contribution towards meeting Crawley's affordable housing needs.
- 5.78 Provision of a minimum of 40% affordable housing, in line with Policy H4 of the adopted Local Plan and emerging policy H5, must be secured through a Section 106 agreement. This would deliver 40% of the affordable rent and shared ownership C3 flats as affordable housing, with the usual breakdown of 70% of these being affordable rent and 30% shared ownership. The same 40% affordable requirement would apply to the Later Living C2 flats, although these would all be shared ownership. This provision of a minimum of 40% affordable across the scheme is justified in planning terms and meets the tests set out in the NPPF. The applicant has agreed to this level of provision and it can be secured through a S106 agreement.

## Infrastructure contributions

- 5.79 Another key requirement is a financial contribution towards open space provision. This has been calculated in accordance with Council policy, taking account of the residents within the development and their open space needs. A contribution of £149,582.16 has been agreed with the applicant to provide or improve play space, outdoor sports space and allotments in the surrounding area.
- 5.80 As set out above, contributions are also sought towards highways requirements. These would cover the costs associated with Travel Plan monitoring and the implementation of a Traffic Regulation Order by West Sussex County Council. The provision of the three car club cars to occupy the designated parking spaces would also be secured through the proposed S106, along with tree planting, including any contribution towards off-site planting, in line with Council policy.

## Other issues

- 5.81 The Health and Safety Executive and West Sussex Fire and Rescue Service have commented on the application from a fire safety viewpoint. They have requested further information on matters such as fire safety standards, location of dry riser inlets and the fire strategy relating to the additional staircase. These are detailed matters. The application seeks outline planning permission only and the layout of the proposed development would be the subject of a future reserved matters application. Further detail at the appropriate stage can be secured through a condition requiring submission and approval of a Fire Strategy.

## **CONCLUSIONS:-**

- 6.1 The application site has been allocated for development, as one of four Key Opportunity Sites in the town centre, in the Crawley Borough Local Plan 2015-2030 and the Town Centre SPD. It is also proposed to be allocated in the Draft Crawley Borough Local Plan 2024-2040. The proposal accords

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with these policy requirements, including in terms of vehicular access, and would provide a highly significant number of new residential units in a very sustainable location on the edge of the town centre. The scheme would deliver affordable shared ownership flats for older people in the Extra Care block, as well as affordable rent and shared ownership flats in the other blocks. The proposal would also create a safer and far more attractive environment for pedestrians between the proposed building and the library. This public realm would link into the town centre, be landscaped, have an active frontage and provide a significant enhancement to this area.

- 6.2 The scheme would result in the loss of some trees, including the oak tree, from the site. In terms of ecology and biodiversity, the proposal is considered acceptable. No significant amenity impacts have been identified and the development is acceptable, subject to some revisions to the layout, in highways and parking terms. The development would be supported by the Crawley Homes retrofitting project and would be water neutral. Matters such as drainage and pollution can be resolved through planning conditions.
- 6.3 The major benefits to the town centre and to meeting Crawley's housing needs, including affordable housing needs, need to be considered against the adverse impact identified arising from the loss of the oak tree. Overall, having weighed up the social, environmental and economic impacts of the proposal, taking a balanced planning view, it is considered that the proposal would bring a long under-utilised brownfield site back into beneficial use, offers major benefits in terms of delivering much needed affordable housing, including for older people, across the site and would also bring significant public realm enhancement. Officers consider that these benefits would substantially outweigh the adverse impacts arising from the loss of the oak tree and therefore recommend that outline planning permission be granted.

## **RECOMMENDATION RE: CR/2023/0357/OUT:-**

Delegate the decision to **PERMIT** the application to the Head of Economy and Planning, subject to the completion of a S106 agreement to secure:

- 40% affordable housing provision within both the Later Living flats (C2) and the other flats (C3), with a 70%/30% split between affordable rent and shared ownership for the C3 use;
- A financial contribution of £149,582.16 towards provision of play space, outdoor sports space and allotments;
- New and replacement trees in accordance with the formula set out in Policy CH6 of the Local Plan and the Green Infrastructure SPD;
- Financial contributions of £3,500 towards Travel Plan monitoring and £8,322 towards implementation of a Traffic Regulation Order;
- Provision of three car club cars to occupy the designated spaces in accordance with the details set out in the Transport Assessment; and
- The submission and implementation of a water neutrality strategy;

And subject to the following conditions:

1. i) Details of the appearance, landscaping and layout, (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.  
ii) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.  
REASON: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last reserved matters to be approved.  
REASON: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.
3. 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:

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(Drawing numbers to be added)

REASON: For the avoidance of doubt and in the interests of proper planning.

4. No development shall take place, including any works of site clearance, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority covering 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, unless otherwise agreed in writing by the Local Planning Authority. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:
- the anticipated number, frequency and types of vehicles used during construction;
  - the method of access and routing of vehicles during construction;
  - the parking of vehicles by site operatives and visitors;
  - the loading and unloading of plant, materials and waste;
  - the storage of plant and materials used in construction of the development;
  - the erection and maintenance of security hoarding;
  - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
  - the prevention of deliveries at the site during school drop-off and pick-up time (generally 0800-0900 and 1430-1530);
  - Access arrangements from the public highway, including temporary accesses and alterations to existing accesses;
  - details of public engagement both prior to and during construction works;
  - the control of noise from the works; and
  - Details of cranes and other tall construction equipment (including the details of obstacle lighting), which shall comply with Advice Note 4 'Cranes and Other Construction Issues', available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>.
- REASON: In the interests of highway safety, the amenities of the area and to ensure construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) or impact on communication, navigation and surveillance equipment utilised by London Gatwick airport in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
- REASON why pre-commencement condition: As it relates to potential impact upon the surrounding area starting with the setting up for construction activities.
5. No development shall take place until a dust management plan to control the emission of dust from the construction works at the site has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall have reference to the Institute of Air Quality Management Guidance on the assessment of dust from demolition and construction. The approved plan shall be fully implemented throughout the duration of construction works, with all equipment maintained in accordance with the manufacturer's instructions at all times until completion of the development, unless otherwise agreed in writing by the Local Planning Authority.
- REASON: To control construction dust emissions in the interests of amenity of the locality in accordance with policies CH3 and ENV10 of the Crawley Borough Local Plan 2015-2030, Policy EP5 of the Draft Crawley Borough Local Plan 2024-2040 and the relevant paragraphs of the National Planning Policy Framework.
- REASON why pre-commencement condition: As it relates to potential impact of dust upon the surrounding area starting with the setting up for construction activities and site preparation.
6. (i) The development hereby permitted shall not be commenced until there has been submitted to and approved in writing by the Local Planning Authority:
- (a) a desk top study documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice; and, unless otherwise agreed in writing by the Local Planning Authority,
  - (b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study in accordance with BS10175:2011; and, unless otherwise agreed in writing by the Local Planning Authority,
  - (c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and

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monitoring. Such scheme shall include the nomination of a competent person to oversee the implementation of the works.

(ii) The development hereby permitted shall not be occupied or brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of (i)(c) above that any remediation scheme required and approved under the provisions of (i)(c) above has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- a) As built drawings of the implemented scheme;
  - b) Photographs of the remediation works in progress; and
  - c) Certificates demonstrating that imported and/or material left in situ is free from contamination.
- Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under (i)(c).

If, during any works, contamination is encountered which has not been previously identified, it should be reported immediately to the Local Planning Authority. The additional contamination shall be fully assessed and an appropriate remediation scheme, agreed in writing with the Local Planning Authority. REASON: To safeguard the health of future residents or occupiers of the site in accordance with Policy ENV10 of the Crawley Borough Council Local Plan 2015-2030, Policy EP3 of the Draft Crawley Borough Local Plan 2024-2040 and the relevant parts of the National Planning Policy Framework.

REASON why pre-commencement condition: As potential contamination could be encountered starting with the setting up for construction activities and site preparation.

7. No development, including site works of any description, shall take place unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of 5 metres, or such distance as may be agreed in writing by the Local Planning Authority. Within the areas so fenced off, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

REASON: To ensure the retention and maintenance of trees and vegetation which forms an important feature of the area in accordance with Policies CH3 and CH7 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.

REASON why pre-commencement condition: As setting up for construction activities and site preparation works could cause harm to vegetation to be retained on and around the application site.

8. All mitigation measures and/or works shall be carried out in strict accordance with the details contained in the Ecological Appraisal (LC Ecological Services Ltd, April 2023) submitted with the outline planning application unless otherwise agreed in writing by Local Planning Authority.

REASON: To conserve protected and Priority species and 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 Policy ENV2 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.

9. No development, including site works of any description, shall take place unless and until a Biodiversity Net Gain Plan has been submitted to and approved in writing by the Local Planning Authority. The Biodiversity Net Gain Plan shall include the following:

- Baseline data collection and assessment of the current conditions of the relevant sites;
- Provision of the full Biodiversity Net Gain calculations using the Secretary of State's Biodiversity Metric, with plans for pre-development and post development proposals and detailed justifications for the choice of habitat types, condition and ecological functionality; and
- A management and monitoring plan for on-site Biodiversity Net Gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of monitoring reports in years 2, 5, 10, 15, 20, 25 and 30 from commencement of development, demonstrating how the Biodiversity Net Gain is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed

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The proposed enhancement measures shall be implemented in accordance with the approved Bioersivity Net Gain Plan and shall thereafter be retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to demonstrate measurable Biodiversity Net Gain and to allow the Local Planning Authority to discharge its duties under the National Planning Policy Framework and in accordance with Policy ENV2 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.

REASON why pre-commencement condition: As setting up for construction activities and site preparation works could cause harm to biodiversity on and around the application site.

10. No development, including site works of any description, shall take place unless and until a Landscape and Ecological Management Plan (LEMP) has been submitted to and be approved in writing by the Local Planning Authority. The content of the LEMP shall include the following:
- a) Description and evaluation of features to be managed;
  - b) Ecological trends and constraints on site that might influence management;
  - c) Aims and objectives of management;
  - d) Appropriate management options for achieving aims and objectives;
  - e) Prescriptions for management actions;
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 30-year period);
  - g) Details of the body or organisation responsible for implementation of the plan; and
  - h) Ongoing monitoring and remedial measures.

The LEMP shall be completed in line with the finalised Biodiversity Net Gain Report and shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management bodies 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 unless otherwise agreed in writing by the Local Planning Authority.

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 Natural Environment and Rural Communities Act 2006 and Policy ENV2 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.

REASON why pre-commencement condition: As setting up for construction activities and site preparation works could cause harm to biodiversity on and around the application site.

11. Prior to the commencement of the development hereby approved, full details of the measures to be undertaken to divert and/or protect the public water supply main during construction works and the subsequent landscaping implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed measures.
- REASON: To ensure adequate protection for existing water supply infrastructure in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
- REASON why pre-commencement condition: As it relates to potential impact upon the public water supply main area starting with the setting up for construction activities and site preparation.

12. No piling or any other foundation designs using penetrative methods shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved Piling Method Statement, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect nearby underground sewerage utility infrastructure and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

REASON why pre-commencement condition: As foundations will be constructed at a very early stage in the development process and to ensure that any piling details and required protection measures are agreed in good time.

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13. No development shall take place unless and until a scheme for the disposing of surface water by means of a sustainable drainage system has been submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates as contained within the approved Flood Risk Assessment & Drainage Strategy Report (Jubb, version 3.0, dated 30/10/23). The scheme shall be implemented in full in accordance with the approved details prior to first use of the development unless otherwise agreed in writing by the Local Planning Authority. The submitted scheme shall:
- Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters;
  - Demonstrate that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 plus climate change critical storm duration, using FEH2022 as the rainfall model; and
  - Demonstrate that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with the National Planning Policy Framework does not leave the site uncontrolled via overland flow routes.
- REASON: To ensure the flood risk is adequately addressed and not increased in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
- REASON why pre-commencement condition: As measures to address the drainage requirements may require below grounds works that need to be undertaken at a very early stage in the development process.
14. No above ground development shall take place until a scheme to assess the impact of wind upon the development and its surroundings, including any measures to address and mitigate wind conditions, has been submitted to and approved in writing by the Local Planning Authority. Any agreed mitigation measures shall be implemented in full prior to first occupation of any part of the development and shall be maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.
- REASON: To ensure that the development creates a satisfactory urban environment for pedestrians in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
15. No development shall take place until the Reserved Matters Energy Statement, referred to in the submitted Outline Energy Statement dated June 2023, detailing an energy strategy and a level of environmental performance consistent with the Outline Energy Statement, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.
- REASON: In the interests of environmental sustainability, in accordance with Policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030, Policies SDC1 and 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 measures to address the energy needs of the site to an appropriate environmental performance may require below grounds works that need to be undertaken at a very early stage in the development process.
16. No development shall take place until details of the provisions made within the scheme design to enable the development to be capable of connection to a Town Centre District Heat Network, referred to in the submitted Outline Energy Statement dated June 2023, have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.
- REASON: In the interests of sustainable design and construction and efficient use of energy in accordance with Policies SD1 and ENV7 of the Crawley Borough Local Plan 2015-2030, Policies SD1 and SDC2 of the Draft Crawley Borough Local Plan 2024-2040, the Planning and Climate Change Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.
- REASON why pre-commencement condition: As measures to address the energy needs of the site to an appropriate environmental performance may require below grounds works that need to be undertaken at a very early stage in the development process.
17. No building or structure forming part of the development hereby approved shall exceed 116.70m AOD.

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REASON: Development exceeding this height would further penetrate the Obstacle Limitation Surface (OLS) surrounding London Gatwick airport and endanger aircraft movements and the safe operation of the aerodrome and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.

18. No above ground development shall commence until details of obstacle lighting for the completed buildings have been submitted to and approved in writing by the Local Planning Authority. Obstacle lighting must be in accordance with the requirements of regulation CS ADR-DSN Chapter Q 'Visual Aids for Denoting Obstacles,' unless otherwise agreed in writing by the Local Planning Authority.  
REASON: Permanent illuminated obstacle lights are required on the development to avoid endangering the safe movement of aircraft and the operation of London Gatwick airport and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
19. No above ground development shall commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:  
Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.  
The Bird Hazard Management Plan shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the buildings. No subsequent alterations to the Plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: It is necessary to manage the roofs in order to minimise their attractiveness to birds which could endanger the safe movement of aircraft and the operation of London Gatwick airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
20. No above ground development shall take place until an Acoustic Design, Ventilation and Overheating Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed Strategy unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure a satisfactory residential environment, in terms of noise and thermal comfort, for future occupiers in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan, Policy EP4 of the Draft Crawley Borough Local Plan 2024-2040 and the relevant paragraphs of the National Planning Policy Framework.
21. Prior to the first occupation of any of the flats (C2 or C3) hereby approved, a noise validation report demonstrating compliance with the noise criteria set out in the Acoustic Design, Ventilation and Overheating Strategy shall be submitted to and approved by the Local Planning Authority. This assessment shall be conducted in accordance with 'Professional Practice Guidance on Planning and Noise: New Residential Development' (May 2017) and the approved Strategy. Where compliance with the agreed Strategy has not been achieved in full, details of mitigation measures, along with a timescale for their implementation, shall be submitted to and approved in writing by the Local Planning Authority. All noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.  
REASON: To ensure a satisfactory residential environment, in terms of noise and thermal comfort, for future occupiers in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan, Policy EP4 of the Draft Crawley Borough Local Plan 2024-2040 and the relevant paragraphs of the National Planning Policy Framework.
22. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled 'Telford Place Highways Improvements General Arrangement' and numbered 5849/1001 Rev H unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of road safety, the amenities of the area and to ensure a satisfactory standard of access to the development in accordance with Policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.

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23. No part of the development shall be first occupied until the vehicle turning space has been constructed within the site in accordance with the approved site plan. This space shall thereafter be retained at all times for their designated use unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of road safety, the amenities of the area and to ensure a satisfactory standard of access to the development in accordance with Policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
24. No part of the development hereby permitted shall be first occupied until car parking spaces, servicing areas and electric vehicle charging points have been constructed in accordance with details to be submitted through reserved matters application(s). The agreed parking spaces and related facilities shall thereafter be retained at all times for their designated purpose and the parking spaces shall be used only the parking of residents and staff living or working in the development and their visitors.  
REASON: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways in accordance with Policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030, the Urban Design Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.
25. No part of the development shall be first occupied until covered and secure cycle and motorcycle parking spaces and visitor cycle parking spaces have been provided in accordance with plans and details submitted and approved by the Local Planning Authority through reserved matters application(s). The approved provision shall be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To provide high quality sustainable transport options in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030, the Urban Design Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.
26. The residential units (use class C2 and C3) hereby approved shall not be first occupied until details have been submitted to the Local Planning Authority to demonstrate that they will achieve a water efficiency standard consistent with the submitted Water Neutrality Statement dated August 2023 by consuming not more than 85 litres per person per day maximum water consumption. The scheme shall be implemented in accordance with the agreed details prior to first occupation and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policies SD1, ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030, Policies SDC1, SDC3, and SDC4 of the Draft Crawley Borough Local Plan 2024-2040, the Planning and Climate Change Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.
27. The non-residential units within the development hereby approved shall not be first occupied until details have been submitted to the Local Planning Authority to demonstrate that they will achieve a water efficiency standard consistent with the submitted Water Neutrality Statement dated August 2023 by consuming not more than 28.39 litres per person per day maximum water consumption. The scheme shall be implemented in accordance with the agreed details prior to first occupation and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policies SD1, ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030, Policies SDC1, SDC3, and SDC4 of the Draft Crawley Borough Local Plan 2024-2040, the Planning and Climate Change Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.
28. Prior to the first occupation of any part of the development hereby approved, a detailed verification report, (appended with substantiating evidence demonstrating the approved construction details and specifications have been implemented in accordance with the surface water drainage scheme) shall be submitted to and approved in writing by the Local Planning Authority. The verification report shall include photographs of excavations and soil profiles/horizons, any installation of any surface water structure and control mechanisms.  
REASON: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.



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29. The development hereby approved shall not be first occupied until details of the maintenance and management of the sustainable drainage scheme have been 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 in perpetuity. 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; and
  - 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.
- REASON: To ensure that the development achieves a high standard of sustainability and ensure the flood risk is adequately addressed for each new dwelling and not increased in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
30. No above ground development shall take place until a Biodiversity Enhancement Strategy for bespoke biodiversity enhancements has been submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Enhancement Strategy shall include the following:
- a) Purpose and conservation objectives for the proposed enhancement measures;
  - b) detailed designs or product descriptions to achieve stated objectives;
  - c) locations, orientations and heights of proposed enhancement measures by appropriate maps and plans (where relevant);
  - d) persons responsible for implementing the enhancement measures; and
  - e) details of initial aftercare and long-term maintenance (where relevant).
- The works shall be implemented in accordance with the approved Biodiversity Enhancement Strategy and shall be retained in that manner thereafter unless otherwise agreed in writing by the Local Planning Authority.
- REASON: To enhance protected and Priority species & habitats and allow the Local Planning Authority to discharge its duties under the National Planning Policy Framework and s40 of the Natural Environment and Rural Communities Act 2006 and in accordance with Policy ENV2 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure Supplementary Planning Document.
31. No above ground development shall take place until a Lighting Strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places;
  - c) set out measures to minimise light pollution arising from the development; and
  - c) set out measures to positively enhance the appearance of the development hereby approved.
- All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the agreed Strategy. No other external lighting be installed without prior consent from the Local Planning Authority.
- REASON: To ensure a high quality appearance to the development, to minimise light pollution and 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 CH2, CH3 and ENV2 of the Crawley Borough Local Plan 2015-2030, Policy EP6 of the Draft Crawley Borough Local Plan 2024-2040, the Green Infrastructure Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.

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32. No works above ground level shall be carried out unless and until a schedule of all materials and finishes, together with samples of such materials and finishes, to be used for the external walls, glazing and roofs of the proposed buildings and for the external hard landscaping have been submitted to and approved by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.  
REASON: To enable the Local Planning Authority to control the development in detail by endeavouring to achieve a building of high visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
33. No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to the external elevations of the development hereby approved unless details have been submitted to and approved in writing by the Local Planning Authority.  
REASON: To enable the Local Planning Authority to control the development in detail to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
34. No above ground development shall take place until an Emissions Mitigation Plan has been submitted to and approved in writing by the Planning Authority. The Emissions Mitigation Plan shall set measures to mitigate the impact on air quality arising from the development. The mitigation measures shall be implemented in full prior to the first occupation of the development hereby approved and shall be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To offset the transport emissions and related air quality implications associated with the development in accordance with Policies SD1 and ENV12 of the Crawley Borough Local Plan 2015-2030, Policies SD1 and EP5 of the Draft Crawley Borough Local Plan 2024-2040 and the relevant paragraphs of the National Planning Policy Framework.
35. No above ground development shall take place until details, including a Glint and Glare Assessment, of the solar PV panels to be installed on the roof of the proposed development have been submitted to an approved in writing by the Local Planning Authority. No subsequent alterations to the approved scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The solar PV panels shall be implemented as approved prior to the first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that the development does not endanger the safe movement of aircraft or the operation of London Gatwick airport through interference with communication, navigation and surveillance equipment or through glint and glare issues and to ensure the delivery of a sustainable development in accordance with Policies SD1, ENV6 and IN1 of the Crawley Borough Local Plan 2015-2030, Policies SD1, SDC1 and IN1 of the Draft Crawley Borough Local Plan 2024-2040, the Planning and Climate Change Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.
36. The development shall not be occupied until details of the post-planning evaluation of the appropriateness of connecting to a Town Centre District Heat Network, referred to in the submitted Outline Energy Statement dated June 2023, have been submitted to and agreed in writing by the Local Planning Authority.  
REASON: In the interests of sustainable design and construction and efficient use of energy in accordance with Policies SD1 and ENV7 of the Crawley Borough Local Plan 2015-2030, Policies SD1 and SDC2 of the Draft Crawley Borough Local Plan 2024-2040, the Planning and Climate Change Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.
37. Prior to the non-residential units within the development hereby permitted being first brought into use, a post-construction report verifying that the units have achieved the minimum Energy and Water standards for BREEAM 'Excellent', shall have been submitted to and been approved in writing by the Local Planning Authority.  
REASON: In the interests of sustainable design and construction, in accordance with Policies SD1, ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030, Policies SD1, SDC1 and SDC3 of the Draft Crawley Borough Local Plan 2024-2040, the Planning and Climate Change Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework.

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38. No above ground development shall take place until a Fire Strategy has been submitted to and agreed in writing by the Local Planning Authority. The development shall be constructed and thereafter operated in strict accordance with the agreed Fire Strategy unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure a safe environment for residents and staff within the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
39. All dwellings, whether in use class C2 or C3, within the residential development hereby approved shall comply with the minimum sizes set out in the Nationally Described Space Standards.  
REASON: To ensure a satisfactory level of amenity for future residents in accordance with Policy CH5 of the Crawley Borough Local Plan 2015-2030, Policy DD3 of the Draft Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
40. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.
41. No part of the development hereby approved shall be first occupied until a Security Strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in strict accordance with the agreed Security Strategy unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that a high quality, safe and secure residential environment is created for future occupants and in accordance with Policy CH3 of the Crawley Borough Local Plan and the relevant paragraphs of the National Planning Policy Framework.
42. No above ground development shall take place until a scheme to provide combined television reception facilities and superfast broadband for all dwellings within the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of visual amenity, 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 and Policy IN3 of the Draft Crawley Borough Local Plan 2024-2040.
43. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order amending, revoking or re-enacting this Order with or without modification, no development, telecommunications equipment, renewable energy equipment, other equipment or advertisements other than those shown on the drawings hereby approved shall be installed or carried out on the roof of the development hereby permitted without the prior, express permission of the Local Planning Authority.  
REASON: To ensure that the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment, to enable the Local Planning Authority to control extensions and alterations that could have significant visual impact and in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

## INFORMATIVES

1. Within the boundaries of Crawley Borough Council, the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

The permitted hours for noisy construction work in the Borough of Crawley are as follows:  
0800 to 1800 Monday to Friday and

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0800 to 1300 on Saturday.

No noisy construction work shall take place on Sundays, Bank Holidays, Public Holidays, Christmas Day, Boxing Day or New Years' Day.

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

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

2. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
3. Given the nature of the proposed development, it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. London Gatwick requires a minimum of four weeks' notice. For crane queries/applications, please visit <https://business.gatwickairport.com/b2b/aerodrome/crane-permits/> or email [cranes@gatwickairport.com](mailto:cranes@gatwickairport.com)
4. The applicant is advised that the Local Planning Authority would expect the Acoustic Design, Ventilation and Overheating Strategy to include:
  - (a) the means by which the noise level within any (unoccupied) domestic living room (including kitchen/diners and open plan studio flats) or bedroom, with windows open, shall be no more than 35 dB LAeq16hr (between 0700 and 2300 - day) and no more than 30dB LAeq,8hr (between 2300 and 0700 - night);
  - (b) the means by which the noise level within any (unoccupied) domestic bedroom (or studio flats), with windows open, shall not normally exceed 45 dB(A) LAfMax between 2300 and 0700; and
  - (c) the means by which noise exposure for the balcony and amenity areas is reasonably reduced to a minimum and in no event exceed 55LAeq12hr (07:00 to 19:00) and 50 LAeq 4hr (19:00 to 23:00).

Where the standards in (a) and/or (b) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which adequate ventilation will be provided.

For these purposes, 'adequate ventilation' would include the provision of acoustically attenuated passive ventilation or mechanical ventilation which can effectively deal with spring, autumn and summer overheating without the necessity of opening the windows.

5. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact the Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
6. The applicant is advised that the above condition on land contamination has been imposed because the site is known to be or suspected to be contaminated. Please be aware that the responsibility for the safe development and secure occupancy of the site rests with the developer.

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

# Agenda Item 8

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

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

7. The applicant is advised that that the Emissions Mitigation Plan required by condition 32 above shall outline a package of mitigation measures to the value of £20,951, as set out in the Air Quality Assessment submitted with the application. The mitigation measures must exceed minimum policy requirements in relation to issues such as cycle parking and EV charging provision. The Emissions Mitigation Plan should include itemised costing for each proposed mitigation option.
8. To make an application for a water connection, visit Southern Water's Get Connected service: [developerservices.southernwater.co.uk](http://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](http://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](http://southernwater.co.uk) or by email at: [SouthernWaterPlanning@southernwater.co.uk](mailto:SouthernWaterPlanning@southernwater.co.uk)
9. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. 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 [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
10. As required by Building Regulations Part H, paragraph 2.36, Thames Water requests that the applicant should incorporate within their proposal protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If, as part of the basement development, there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. 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 will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 0203 577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.
11. 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](http://www.crawley.gov.uk/cil), email [development.control@crawley.gov.uk](mailto: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.

# Agenda Item 8

## NPPF Statement

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

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

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# Agenda Item 9

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 4 December 2023  
REPORT NO: PES/447(e)

**REFERENCE NO: CR/2023/0436/TPO**

**LOCATION:** [WORTH PARK LAKE, POUND HILL, CRAWLEY](#)  
**WARD:** Pound Hill North & Forge Wood  
**PROPOSAL:** 9234 1 X ASH - REMOVE DEAD WOOD. REMOVE 1 X LOWER BRANCH ON WEST SIDE LEANING OVER GARDEN OF 130 GRATTONS DRIVE (MARKED ON PHOTO). REPOLLARD BY APPROX 3 METRES BACK TO PREVIOUS PRUNING POINTS.  
9267 1 X ASH – REDUCE CROWN BY 1.5 TO 2 METRES

**TARGET DECISION DATE:** 19 September 2023

**CASE OFFICER:** Mr R. Spurrell

**APPLICANT'S NAME:** Crawley Borough Council  
**AGENT'S NAME:** Crawley Borough Council

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

Drawing Number	Revision	Drawing Title
CBC 0001		Tree Plan

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

Crawley Borough Council is the applicant.

## **PUBLICITY / NOTIFICATION:-**

1.1 As CBC is the applicant, notification is required by way of a site notice. The consultation expiry period ended on 17<sup>th</sup> October 2023. No representations have been received.

## **PLANNING HISTORY:-**

- 2.1 There is no planning history for tree surgery to these two ash trees.
- 2.2 Various tree works have been agreed to other trees within Worth Park as part of tree maintenance and management of the open space.
- 2.3 The trees are protected under Tree Preservation Order Reference 16.07.04, Number: W1

## **PLANNING POLICY:-**

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

# Agenda Item 9

## **PLANNING CONSIDERATIONS:-**

- 4.1 The determining issues in this application are the effect of the proposed works on the health, character and appearance of the trees and the level of amenity that they provide within the surrounding area.
- 4.2 The ash trees are located adjacent to the rear boundary of 130 Grattons Drive within the grounds of Worth Park on a strip of land between the rear garden fence and the lake. They are mature specimens and are considered to make some contribution to the overall tree cover in the area however, the trees have Ash Dieback and therefore have relatively sparse crowns. They have an estimated life expectancy of 10 – 20 years.
- 4.3 The proposed works are for surgery to both trees comprising:
- Tree no 9234- removal of lower branch on west side leaning over garden of 130 Grattons Drive (as marked on submitted photo), deadwooding and re-pollarding by approximately 3 metres back to previous pruning points.
  - Tree 9267 – reduce crown by 1.5 – 2 metres.
- The applicant states the works are required to make the trees safe and maintain them at a suitable size for their location and condition.
- 4.4 The trees are located away from the public footpaths which are situated around the edge of the lake and form part of a much denser area of tree screening. The trees are not particularly visible to the public. It is considered the works would therefore have only a negligible impact on visual amenity.
- 4.5 It is considered the works are acceptable in terms of visual amenity and are justified given the condition of the trees. Consent is therefore recommended.

## **RECOMMENDATION RE: CR/2023/0436/TPO:-**

### **CONSENT - Subject to the following conditions:-**

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

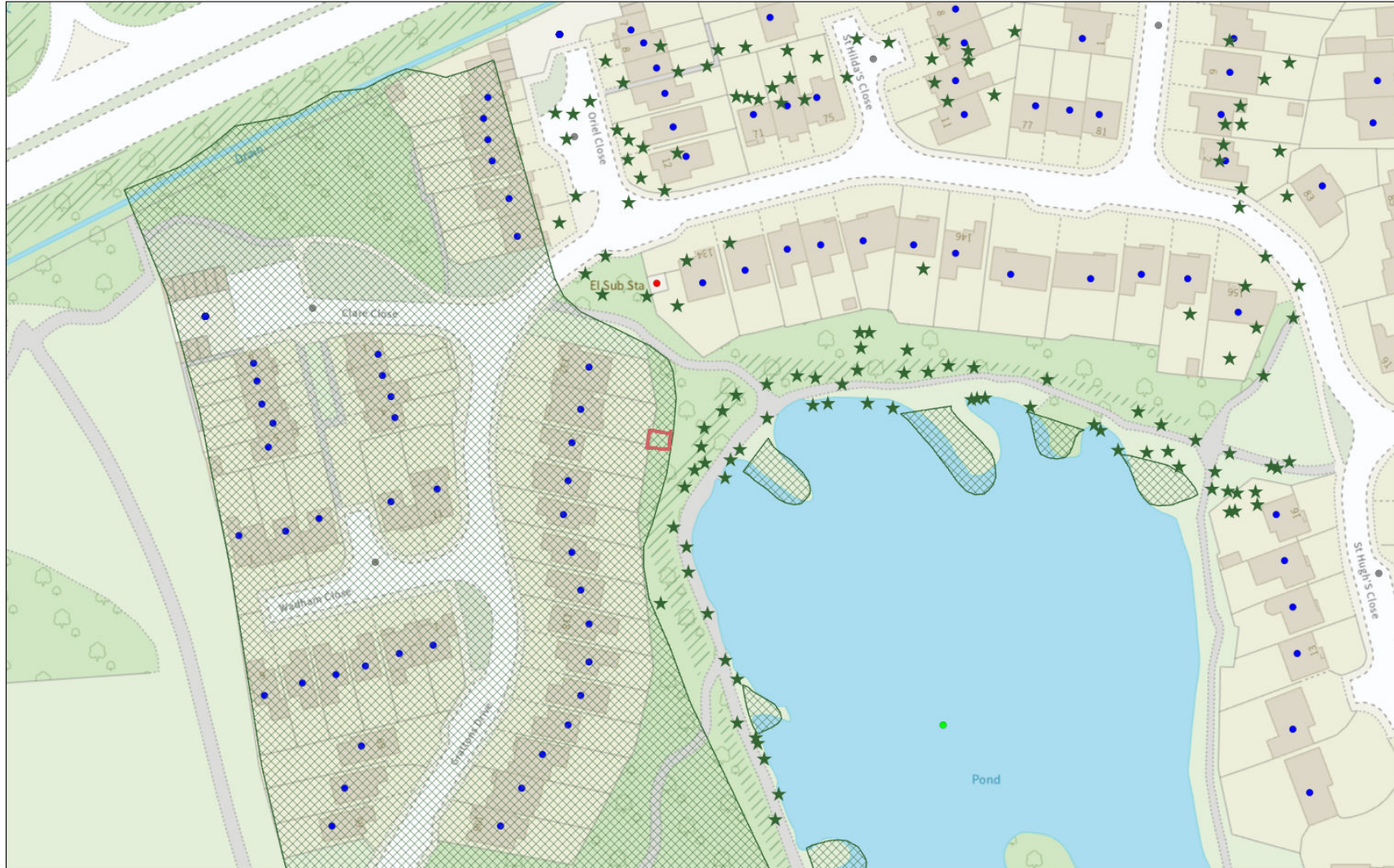


ArcGIS Web Map



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

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# Agenda Item 10

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 4 December 2023  
REPORT NO: PES/447(f)

**REFERENCE NO: CR/2023/0558/TPO**

**LOCATION:** [64 PEARSON ROAD, POUND HILL, CRAWLEY](#)  
**WARD:** Pound Hill South and Worth  
**PROPOSAL:** T1 OAK - FELL

**TARGET DECISION DATE:** 15 November 2023

**CASE OFFICER:** Mr R. Spurrell

**APPLICANT'S NAME:** Crawley Borough Council  
**AGENT'S NAME:** Crawley Borough Council

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

Drawing Number	Revision	Drawing Title
CBC 0001		Tree Location Plan

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

Crawley Borough Council is the applicant.

## **PUBLICITY / NOTIFICATION:-**

- 1.1 As CBC is the applicant, notification is required by way of a site notice. The consultation expiry period ended on the 24<sup>th</sup> November 2023. No representations have been received.

## **PLANNING HISTORY:-**

- 2.1 The tree the subject of this application was granted consent for works under application reference CR/2020/0559/TPO for a reduction in height and crown radius by 2m and the removal of stem growth up to the crown break.
- 2.2 The tree is protected under Tree Preservation Order Reference: 16.08.72, Number G1.

## **PLANNING POLICY:-**

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

## **PLANNING CONSIDERATIONS:-**

- 4.1 The determining issues in this application are the effect of the proposal on the health, character and appearance of the tree and the level of amenity that it provides within the surrounding area.
- 4.2 The oak tree is located in the rear garden of 64 Pearson Road close to the boundary with 62 Pearson Road. It is one within a row of trees which extend along the northern rear garden boundaries of numbers 62-68 (evens) Pearson Road. It is a very large and attractive tree which

# Agenda Item 10

together with others in the group makes an important contribution to the green amenity of the surrounding area. However, the estimated remaining contribution from it to the visual amenity of the area is considered to be potentially less than 10 years.

- 4.3 Consent is sought to fell the tree for safety reasons due to disease and buttress decay.
- 4.4 The tree is infected with Ganoderma with significant decay in two of the buttress roots on the south-east aspect, nearest the fence. There are very large cavities in both buttress roots which have left very little residual wood which will have seriously compromised the strength and structural stability of the roots leaving the tree liable to failure, especially considering the size of the specimen.
- 4.5 Whilst remedial works in the form of a reduction may mitigate the risk of failure to an acceptable level, it is considered a reduction would be to such an extent that the resultant tree remaining would have little to no visual amenity. Furthermore, there would be an ongoing requirement for repeated reductions in order to maintain the tree at that reduced (safe) size.
- 4.6 Given the conclusions on the likely ongoing tree health and management set out in paragraph 4.5 above, it is therefore recommended, on balance, that the tree should be removed and replaced with another oak tree in a similar position (a little further from the boundary). The presence of Ganoderma on the subject tree should not be an issue for the replacement specimen since spores of this infection tend to gain entry through wounds in the bark and are omnipresent anyway. Once the tree has been removed, the stump ground out (recommended) and the replacement tree planted in the following planting season the likelihood of infection would be considered no higher than in any other case.

## **RECOMMENDATION RE: CR/2023/0558/TPO:-**

### **CONSENT - Subject to the following conditions:-**

1. This consent is valid for a period of two years from the date of this notice and shall only be carried out once.  
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.  
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.
3. Within 12 months of the felling of the tree, the owner of the land shall plant an Oak tree, in a location as close to the felled tree as practical and within the garden of 64 Pearspon Road. The tree shall be not less than nursery standard size and conform to British Standard 3936: Nursery Stock Specification. In the event that the tree dies within five years following such planting, it shall be replaced with a similar tree in a similar position during the next planting season.  
REASON: In the interests of the amenity of environment of the locality in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.



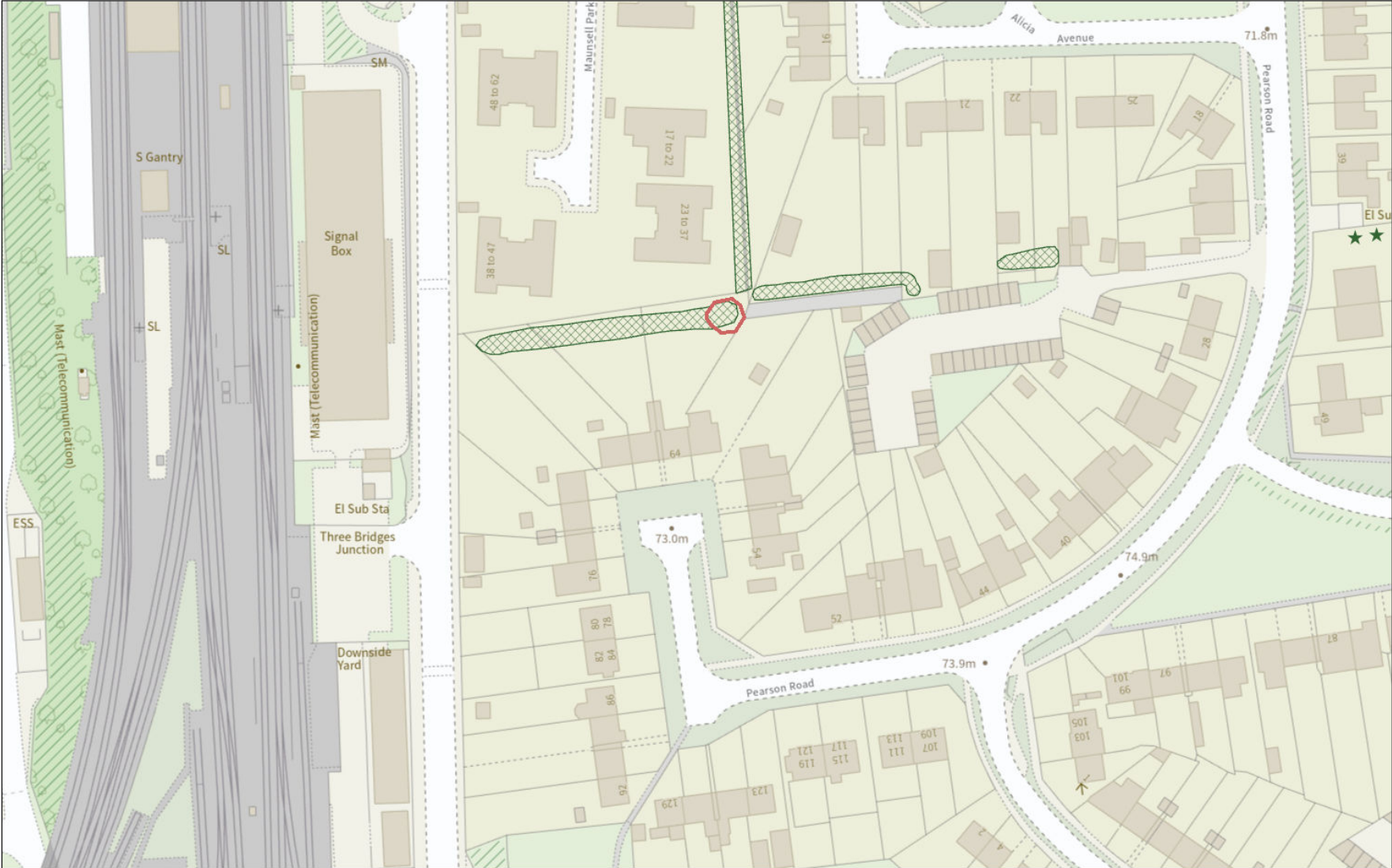


# ArcGIS Web Map



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

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# Agenda Item 11

## Crawley Borough Council

### Report to Planning Committee

4<sup>th</sup> December 2023

### Objections to the Crawley Borough Council Tree Preservation Order Hazelwood, Balcombe Road - 07/2023

Report of the Head of Economy and Planning – *PES/448*

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#### 1. Purpose

- 1.1 This report presents the Hazelwood, Balcombe Road - 07/2023 Tree Preservation Order. The Committee is requested to consider the objections and determine whether to confirm the Tree Preservation Order with or without modification for continued protection, or not to confirm the Tree Preservation Order.

#### 2. Recommendation

- 2.1 It is recommended that the Committee **CONFIRMS** the Tree Preservation Order - Hazelwood, Balcombe Road - 07/2023 – without modification.

#### 3. Reasons for the Recommendation

- 3.1 The trees are considered to have good landscape amenity value in the surrounding area. The trees have been identified as having significant long term potential. The trees are prominent in the locality and have significant amenity value. The trees provide an important visual screen between (future) properties. The trees are clearly visible from the public highway. The trees are visually important in the local area. The trees have significant wildlife value.

#### 4. Background

- 4.1 The trees the subject of this order are a woodland group consisting of a variety of tree species within the rear garden of Hazelwood. The area is classified as ancient woodland. Hazelwood is a large property facing onto Balcombe Road and the trees are the last remaining remnant of Park Wood, now almost completely lost to development. Park Wood extended south towards Copthorne Road and was connected to Burleys Wood, a remnant of which still remains within the Wentworth Drive area of Pound Hill.
- 4.2 The trees on the site are large and visually prominent in the surrounding area and the woodland serves as a green break between the two separate areas of residential development in Haywards and Heathfield/Burgh Close. The significance of this green feature is recognised, the trees forming part of the Structural Landscaping (protected under Local Plan policy CH7) which links into a tree belt along Balcombe Road. The trees are clearly visible from Haywards, Lancaster Close, Bristol Close, Burgh Close, Blenheim Close, Wakehams Green Drive, Mannings Close and Balcombe Road and their contribution to the green amenity and character of the area is therefore considered extremely important.

# Agenda Item 11

- 4.3 There is another TPO covering the site (Balcombe Road No. 4 ref: 16.07.05) served in 1971 however this is an Area Order and only covers trees present at the time the TPO was served.
- 4.4 Earlier this year, the Local Planning Authority was contacted by the owner of the property requesting a site meeting to discuss possible tree removals as he wished to open the site up. During the site visit it was noted that the Balcombe Road No. 4 Order, served 52 years ago, would not cover many of the trees on site which are now significant. The decision was therefore taken to serve a Woodland Order on the site in order to protect all trees currently on site as well as any and all future trees that grow on the site going forward, thus protecting the regenerative aspect of the woodland.
- 4.5 The provisional Tree Preservation Order was made on 21<sup>st</sup> June 2023 and remains provisionally in force for a period of six months until 21<sup>st</sup> December 2023. If the Order is confirmed, the protection becomes permanent, if the Order is not confirmed it ceases to have effect.

## 5. Notification/Consultation/Representation

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

Owners and occupiers of the land:

- Murray Homes Limited, Springfield House, Springfield Road, Horsham, RH12 2RG.

Owners and occupiers of adjoining land affected by the TPO:

- Federated Homes Limited, Bucklersbury House, Bucklersbury, London, EC4
- Federated Homes Limited, 63 High Street, Crawley, RH10 1BQ
- Crawley Borough Council, Town Hall, The Boulevard, Crawley
- West Sussex County Council, County Hall, West Street, Chichester, PO19 1RG
- Owner/occupier, 8 Heathfield, Poundhill, Crawley, RH103TT
- Owner/occupier, 2 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 4 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 6 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 8 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 10 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 12 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 14 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 16 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 18 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 20 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 22 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, Annexe at 22 Haywards, Poundhill, Crawley, RH103TR
- Owner/occupier, 12 Lancaster Close, Poundhill, Crawley, RH103NB
- Owner/occupier, 17 Lancaster Close, Poundhill, Crawley, RH103NB
- Owner/occupier, 10 Burgh Close, Poundhill, Crawley, RH103TS
- Owner/occupier, 20 Heathfield, Poundhill, Crawley, RH103TT.

- 5.2 The Council is required to consider any objections or representations made within 28 days of the date of the TPO. The notification period for objections ended on 26th July 2023. Confirmation of the TPO is required within six months of the date upon which it was provisionally made.
- 5.3 Two representations have been received from neighbouring owners/occupiers about the impact of the trees on neighbouring properties. A copy of these letters is provided within this report at appendix A.

# Agenda Item 11

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

## Impact on neighbouring properties

- Loss of light to lounge due to the increasing height of the trees bordering fence, garden has little sun and lights need to be on all day.
- The trees overhang the property and to protect the property some branches need to be removed that can be reached as the trees are never maintained.

## Safety

- In windy weather [the pine tree bordering the garden] sways and creaks alarmingly. If the tree falls it would cause damage the property, kill or cause serious injury. This tree should be removed along with those nearest to the garden.

## Other

- There should be no TPO in place before or until the culling/cutting back of the trees has taken place and boundary fencing replaced.
- There should be a duty of care owed to the residents who have property adjacent.
- This ancient woodland is not maintained and neither are the boundary fences.
- It is not clear how this area of ancient woodland is to be maintained given the recent planning permission.

## **6. Amenity Value/Assessment**

- 6.1 The trees the subject of this TPO are classed as ancient woodland. It should be noted that the larger trees including those on the boundary of the site are also protected by the Crawley Borough Council Balcombe Road No. 4 Order (ref: 16.07.05) which has been in force since 1971, although this Order only protects trees that were present at the date the Order was served. Given the passage of time many of the trees are less than 50 years old.
- 6.2 It is accepted that the site is somewhat overgrown and that some of the trees around the site boundary are causing problems to neighbouring residents. The imposition of the TPO does not prevent any person from applying for works to the trees in order to maintain the trees (although the permission of the landowner would be required if works are on their land). Applications for tree works to mitigate nuisance from the adjoining trees are likely to be supported.
- 6.4 It should be noted that since the Order was served, an application was made (reference CR/2023/0212/TPO) for works to substantially reduce cypress trees which were overhanging the boundary of 14 Haywards. Consent has been granted for these works and they were considered justified on the grounds that the trees in question were non-native, the works would have only a minor impact on amenity, the works would reduce encroachment into the garden and would increase light into the garden. A further application has been made by the site owner for further tree works (reference CR/2023/0519/TPO) and this application is awaiting a decision.
- 6.5 There are no powers under the TPO provisions to make the landowner carry out works and maintenance to the trees. The service of the TPO does not make the trees the responsibility of Crawley Borough Council.
- 6.6 The replacement of the boundary fence is also the fence owner's responsibility and is not the responsibility of Crawley Borough Council or a consideration when serving a TPO on trees with significant amenity value. Should remedial works to protected trees be required in order to replace a boundary fence or other feature, this will be considered during the application process and an on-balance decision made, however the default position will always be to place the protected trees which make an important contribution to the character of the area first.

# Agenda Item 11

- 6.7 Planning permission CR/2020/0762/FUL was granted on appeal. This relates to the demolition of the single property 'Hazelwood' and its replacement with 5 houses to be erected fronting onto Balcombe Road, retaining the ancient woodland and the provision of a buffer zone in between.
- 6.8 The permission is subject to a Unilateral Undertaking under s106 of the Town and Country Planning Act 1990 that relates to the buffer zone and the ancient woodland. The s106 applies to the owners of the land and any successors in title. The agreement outlines the provision of an access to the ancient woodland and buffer zone, an initial programme of works to remove non-native invasive shrub species, ongoing management operations and management schedules. It specifies that the landowners are responsible for the implementation of this plan. The future management of the ancient woodland should therefore be safeguarded under these provisions.

## 7. Implications

### *Human Rights Act 1998*

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

### *Article 8 and Article 1 of the First Protocol*

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

### *Planning legislation*

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

## 8. Background Papers

- 8.1 The Crawley Borough Council Tree Preservation Order Hazelwood, Balcombe Road - 07/2023

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

# Agenda Item 11

## SCHEDULE

### SPECIFICATION OF TREES

#### Trees Specified Individually (encircled in black on the map)

Reference on Map	Description	Situation
NONE		

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

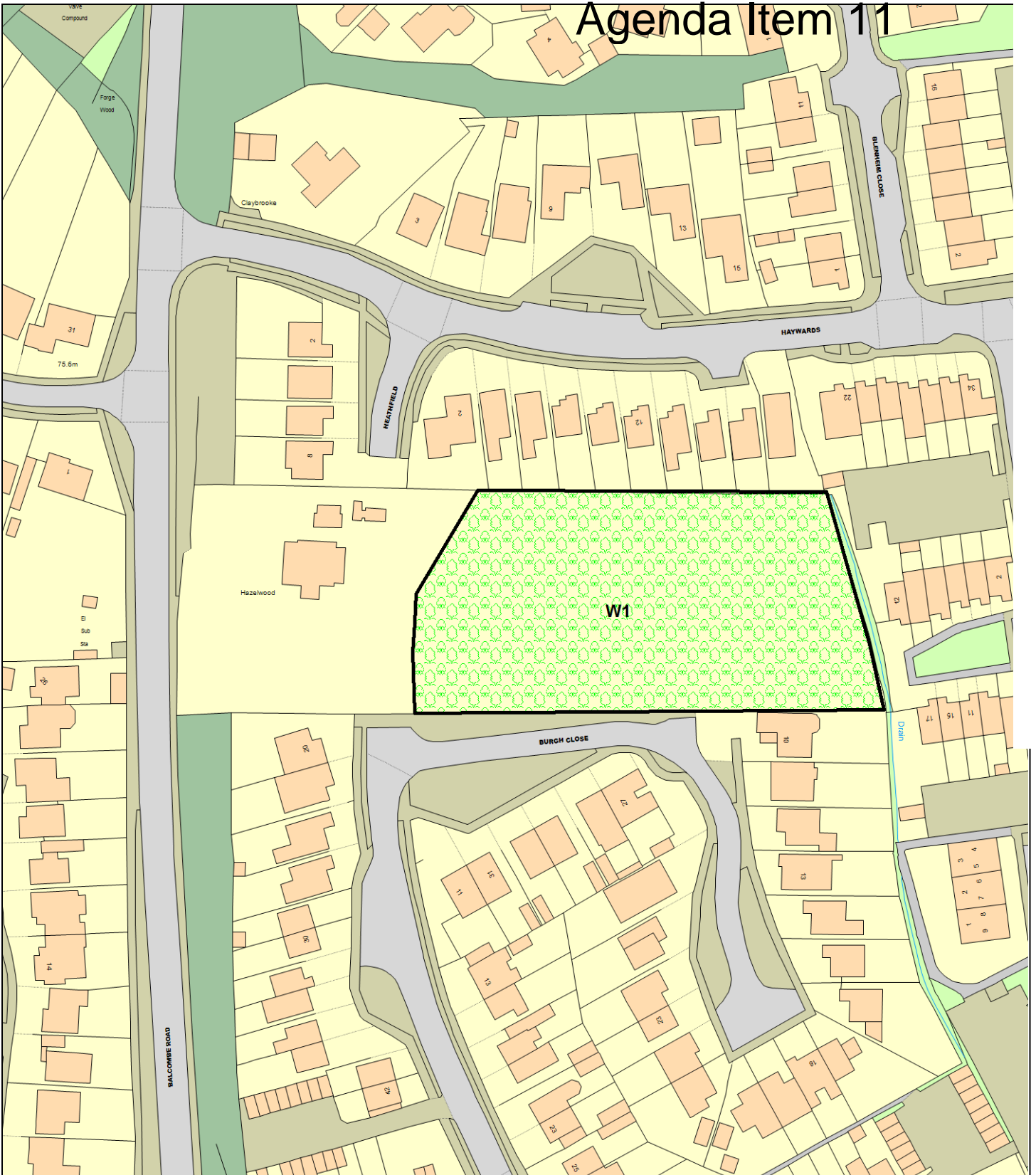
Reference on Map	Description	Situation
NONE		

#### Woodlands (within a continuous black line on the map)

Reference on Map	Description	Situation
W1	Mixed woodland comprising mainly the following species: Mixed Broad/Conifers	Grid Ref: TQ-29813-38366

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

Reference on Map	Description	Situation
NONE		



**Tree Preservation Order No 07/2023**  
**Hazelwood, Balcombe Road**

**Clem Smith**  
**Head of Economy and Planning Services**

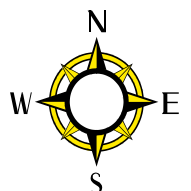


*The scale shown is approximate and should not be used for accurate measurement.*

Scale 1:1250

Date 14/11/2023

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## TPO 07/2023 - Objection 1

From: [REDACTED]  
Sent: 26 June 2023 13:46  
To: Trees, Protected <ProtectedTrees@crowley.gov.uk>  
Cc: [REDACTED]  
Subject: Tree preservation order dated 20 th June 2023 Hazelwood Balcombe Road

Dear Mr Spurrell,

I am contacting you re the above letter that my elderly mother has recently received . She did try and call in unfortunately you were not available. This letter has caused her great concern, the Ancient woodland runs along the whole side of her home .

We are assuming that you are referring to the Ancient woodland which has been neglected for many tens of years. The trees overhang my mothers property and she has had to protect her property as best she can by removing branches that can be reached and will have to continue to do so as this area is NEVER MAINTAINED.

My mother has raised concerns with the council and the owners in the past to no avail .

No TPO should be in place before or until the culling of , cutting back of the trees and replacing the boundary fencing to a good standard.

It's all and good doing a TPO on the trees but surely there is a duty of care owed to the residents who have property adjacent . This Ancient woodland is not maintained neither are the boundary fences. My mother had had to try and support the fencing from collapsing into her garden . Looking at the planning permission granted in front of the Ancient woodland it is not clear how the area will be maintained and if there is anyone that can make people take responsibility . If you are expecting the existing landowner , then if the past is anything to go by, it won't happen. If you are expecting 5 individual property owners to take on the responsibility then we want to know how this is enforceable and doesn't appear practical.

Please can you answer these concerns .

Yours sincerely

[REDACTED]

Sent from my iPhone

## TPO 07/2023 - Objection 2

From: [REDACTED]  
Sent: 25 July 2023 21:13  
To: Trees, Protected <ProtectedTrees@ Crawley.gov.uk>  
Subject: TPO Hazelwood, Balcombe Road

We have lived at 4 Haywards, backing on to Hazelwood, since 1986. In that time our lounge has become darker and darker due to the increasing height of the trees bordering our rear fence. We have to have lights on all day in our lounge and our garden gets very little sun. We have tried to get owners of Hazelwood to trim the trees but to no avail. An even bigger problem is the pine tree bordering our garden. In windy/stormy weather it sways and creaks alarmingly giving us sleepless nights. If that tree comes down, at an estimated 80-100feet it will decimate our house and could kill or seriously injure us! For these reasons we object to the tree preservation orders and would like the trees nearest to our garden to be removed, especially the pine tree which is dangerous.

[REDACTED]

Sent from my iPad