

## Crawley Borough Council

### Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Rooms A & B - Town Hall**, on **Tuesday, 2 April 2024** at **8.00 pm**

Please note the later start time of this meeting.

Nightline Telephone No. 07881 500 227



**Chief Executive**

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

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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 - 8
To approve as a correct record the minutes of the Planning Committee held on 6 March 2024.		

			<b>Pages</b>
<b>5.</b>	<b>Planning Application CR/2023/0314/FUL - County Oak Retail Park (Units 1A, 1B, 1C, 2A, 2B, 2C, 31, 3BCD and 4B), County Oak Way, Langley Green</b>	Langley Green & Tushmore	9 - 26
	To consider report PES/457a of the Head of Economy and Planning.		
	<b>RECOMMENDATION</b> to PERMIT.		
<b>6.</b>	<b>Planning Application CR/2023/0663/FUL - 149 Rother Crescent, Gossops Green, Crawley</b>	Gossops Green & North East Broadfield	27 - 32
	To consider report PES/457b of the Head of Economy and Planning.		
	<b>RECOMMENDATION</b> to PERMIT.		
<b>7.</b>	<b>Planning Application CR/2024/0057/FUL - 76 Gales Drive, Three Bridges, Crawley</b>	Three Bridges	33 - 40
	To consider report PES/457c of the Head of Economy and Planning.		
	<b>RECOMMENDATION</b> to PERMIT.		
<b>8.</b>	<b>Supplemental Agenda</b>		
	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

Wednesday, 6 March 2024 at 7.30 pm

#### Councillors Present:

S Pritchard (Chair)

M Mwangale (Vice-Chair)

Z Ali, J Charatan, K Khan, Y Khan and A Nawaz

#### Officers Present:

Valerie Cheesman Principal Planning Officer

Siraj Choudhury Head of Governance, People & Performance

Jess Tamplin Democratic Services Officer

#### Apologies for Absence:

Councillors J Bounds, K L Jaggard and S Mullins

#### 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	Tree Preservation Order Application CR/2023/0510/TPO – Woldhurstlea Wood, Buckswood Drive (Trees to Rear of 40 Tintern Road), Gossops Green (minute 4)	Personal interest – West Sussex County Councillor for Southgate & Gossops Green division.
Councillor Ali	Planning Application CR/2023/0658/FUL – 93 Downland Drive, Southgate (minute 5)	Personal interest – West Sussex County Councillor for Southgate & Gossops Green division.

## 2. Lobbying Declarations

No lobbying declarations were made.

### 3. Minutes

The minutes of the meeting of the Planning Committee held on 9 January 2024 were approved as a correct record and signed by the Chair.

### 4. Tree Preservation Order Application CR/2023/0510/TPO - Woldhurstlea Wood, Buckswood Drive (Trees to Rear of 40 Tintern Road), Gossops Green, Crawley

The Committee considered report [PES/454a](#) of the Head of Economy and Planning which proposed as follows:

1 x maple (5672) - reduce height and crown by a maximum of 2 metres to nearest suitable growth points.

1 x ash (071805) - reduce height and crown by a maximum of 2 metres to nearest suitable growth points.

1 x oak (5641) - reduce height and crown by a maximum of 2 metres to nearest suitable growth points.

Councillor Ali declared he had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought consent for works to three protected trees in Woldhurstlea Wood. It was heard that the works were not considered to harm the health of the trees and were necessary in order to maintain the trees at a manageable size and rectify overhanging of an adjacent property.

The Committee then considered the application. In response to a query from a Committee member, the Planning Officer explained that the trees had already been protected under a Tree Preservation Order, and that there had been a number of applications in the past for works to various trees in the woodland.

#### **RESOLVED**

Consent subject to the conditions set out in report PES454a.

### 5. Planning Application CR/2023/0658/FUL - 93 Downland Drive, Southgate, Crawley

The Committee considered report [PES/454b](#) of the Head of Economy and Planning which proposed as follows:

Retrospective application for single storey rear extension.

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

The Principal Planning Officer provided a verbal summation of the application, which sought retrospective planning permission for a householder extension to a terraced property in Southgate. 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 representations from neighbours had raised concerns about the potential for the property to be used as a house of multiple occupation (HMO) and the impact of this on parking in the

area. Clarification was sought from the Planning Officer as to whether this was a consideration for the Committee. The Officer confirmed that the property's current use was as a dwelling and there was no change of use proposed, so this was not for the Committee to determine. It was explained that if a change of use was sought for a property to become an HMO which housed more than six inhabitants, a separate planning application would be required and these issues could be considered at that time. If the property were to house six or less inhabitants, a change of use application would not be required as it would be permitted development – however a water neutrality application would be required under the Habitat Regulations.

## **RESOLVED**

Permit subject to the condition set out in report PES/454b.

## **6. Section 106 Monies - Q2 & Q3 2023/24**

The Committee considered report [PES/456](#) of the Head of Economy and Planning, which summarised all the Section 106 (S106) monies received, spent and committed to project schemes in quarters two and three of the financial year 2023/24.

## **RESOLVED**

That the update on S106 monies received, spent and committed in quarters two and three 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 7.48 pm.

**S Pritchard (Chair)**

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**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 2 April 2024  
REPORT NO: PES/457(a)

**REFERENCE NO: CR/2023/0314/FUL**

**LOCATION:** [COUNTY OAK RETAIL PARK \(UNITS 1A, 1B, 1C, 2A, 2B, 2C, 31, 3BCD AND 4B\), COUNTY OAK WAY, LANGLEY GREEN, CRAWLEY](#)  
**WARD:** Langley Green & Tushmore  
**PROPOSAL:** CONTINUED USE OF THE RETAIL PARK WITHIN USE CLASS E(A) THROUGH CONSOLIDATION OF ALL RELEVANT PLANNING PERMISSIONS (IMPLEMENTED OR EXTANT) SINCE THE INITIAL CONSTRUCTION OF THE RETAIL PARK UNDER APPLICATION REFERENCES CR/588/86 AND CR/253/87.

**TARGET DECISION DATE:** 21 November 2023

**CASE OFFICER:** Mr M. Robinson

**APPLICANT'S NAME:** DT Last Mile (Crawley) Unit Trust  
**AGENT'S NAME:** Quod

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

Drawing Number	Revision	Drawing Title
PL06 Rev	B	Extant application Proposed Site Plan Roof Plan
CBC0001		Site Location Plan July 2023
11431 - L001	C	Plan with retail floor areas

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

1. CBC Retail & Employment No objection provided no more than the consented 2,507sqm open retail floorspace is able to operate across the retail park.
2. WSCC Highways No objection - in transport terms, it is not considered that this proposal would result in any notable intensification of use of the site beyond that which could occur already.

## **NEIGHBOUR NOTIFICATIONS:-**

The application was advertised by site notice displayed at the site on 30/08/2023 and a notice published in the press on 06/09/23.

## **RESPONSES RECEIVED:-**

No responses have been received.

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

This is a major application with a site area of greater than 1 hectare.

## **THE APPLICATION SITE:-**

- 1.1 The site is located to the west of London Road with County Oak Way to the north and Metcalf Way to the west. The site and area gently slopes from the east down to the west. The site is dominated by modern larger shop units in a L shaped layout with the shop frontages facing north and east towards

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County Oak Way and London Road. The buildings are two storey and there are a variety of materials that include different types of metal cladding, bricks, blockwork and glazing. The area between the frontages of the shops and these roads provides access and parking for visitors/customers. The shop units have service yards to the rear adjacent to Metcalf Way to the west and Langley Green Hospital and Depot Road to the south that provides access to London Road Mosque and the houses fronting Martyrs Avenue to the south. Access into the site for visitors/customers is from a roundabout junction on County Oak Way to the north.

- 1.2 The site is an employment site within the Manor Royal Main Employment Area. It is within the Sussex North Water Resource Zone.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 The proposed development seeks to consolidate the planning applications granted at the site since its original construction in 1988, whilst granting flexibility as to where unrestricted retailing can take place within the site. The proposal would require a number of conditions from historic planning permissions to be reapplied, with some being altered, whilst introducing a condition that would allow 2507sqm of floorspace to be used for unrestricted retail use within any building on the site and not just within unit 2b/2c.
- 2.2 The red line includes the shops, service areas, car park and access road. It covers most of the area of the original permission granted for the development of the site as a retail park in 1988 under ref. CR/588/OUT. The proposal does not include the coffee shop in the car park to the east of the access to the site.

## **RELVANT PLANNING HISTORY:-**

### Site Wide Planning History

- 3.1 The site was originally granted outline planning permission under re CR/588/86/OUT for ERECTION OF NON-FOOD RETAIL WAREHOUSING (13,850 SQ.M.)

The following conditions from this application remain relevant:

Condition 3 The buildings hereby permitted shall not be occupied until provision for car parking has been made within the site in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for the parking of cars.  
REASON: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highway.

Condition 7 There shall be no pedestrian or vehicular access to/from the site to Depot Road.  
REASON: To protect the amenities of neighbouring houses and Langley Green Hospital, in the interests of highway safety and in order for any future proposals for such access to be properly assessed in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.

Condition 11 No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or storage areas at any time approved by the Local Planning Authority.  
REASON: In the interests of visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

Condition 12 Notwithstanding the provisions of the Town and Country Planning General Development Orders 1977 to 1985, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.  
REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads though overflow vehicle parking and/or cause harmful environmental effects.

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Condition 13 No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring residents.

Condition 14 The premises shall not be used for the sale of food other than confectionary.

REASON: To prevent a harmful diversion of trade from established centres contrary to the policies of the Structure Plan and the (Proposed) First Alteration thereto

3.2 The subsequent reserved matter application ref. CR/253/1987 did not include any additional conditions.

## Subsequent Relevant Planning History for Each Unit by Address

3.3 Unit 1A (currently Next)

CR/2004/0002/FUL: ALTERATIONS TO EXISTING BUILDING COMPRISING SUB-DIVISION TO FORM 2 RETAIL UNITS, REMOVAL OF PART OF EXISTING STORAGE PLATFORM, ERECTION OF EXTENSION TO EXISTING STORAGE PLATFORM FOR PART RETAIL AND PART STORAGE USE, CHANGE OF USE OF PART OF EXISTING STORAGE PLATFORM TO RETAIL USE (CLASS A1), ERECTION OF NEW STAIRCASE, RELOCATION OF LOADING BAY, MODIFICATIONS TO AMENITIES BLOCK AND INSTALLATION OF NEW DISABLED ACCESS LIFT

Condition 2 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow parking and/or cause harmful environmental effects contrary to Policies GD34 and T2 of the Crawley Borough Local Plan 2000.

Condition 3 The first floor sales area shall be limited to the 814 square metres shown on approved Drawing 4312 03 Rev B and shall not be extended or subdivided in any manner.

REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow parking and/or cause harmful environmental effects contrary to Policies GD34 and T2 of the Crawley Borough Local Plan 2000.

CR/2014/0597/FUL: ERECTION OF SIDE EXTENSION AT UNIT 1A, CREATION OF ADDITIONAL MEZZANINE FLOORSPACE AT 1ST FLOOR AND NEW MEZZANINE AT 2ND FLOOR LEVEL TO INCLUDE ANCILLARY CAFE. ERECTION OF NEW SHOPFRONTS AND ASSOCIATED FACADE WORKS TO UNITS 1A, 1B AND 1C (AMENDED PLANS RECEIVED)

Condition 4. The units identified as 1B and 1C that form the application shall be restricted to ancillary sales of food to be consumed off of the premises only. This is taken as a trading area totalling less than 10% of net floor space.

REASON: A convenience retail unit would require further assessment due to an increased parking requirement as defined within SPD1 and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with TC4 of the Core Strategy 2008.

Condition 5. Prior to occupation the applicant shall submit a floor plan to the Local Planning Authority identifying the location of the ancillary cafe. In accordance with its description as ancillary the café shall total less than 10% of the net floor space available.

REASON: A convenience retail unit would require further assessment due to an increased parking requirement as defined within SPD1 and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with TC4 of the Core Strategy 2008.

Condition 6. Development shall not 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 roofs on buildings within the site which may be attractive to nesting, roosting and loafing birds. The Management Plan shall comply with Advice Note 8 'Potential Bird Hazards'. The Bird Hazard Management Plan shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations

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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 GAT1.

## 3.4 Unit 1B (currently Boots)

CR/2005/0384/FUL: SUB-DIVISION OF EXISTING UNIT TO FORM 2 UNITS, RECONFIGURATION OF EXISTING MEZZANINE & ALTERATIONS TO BUILDING EXTERIOR

Superseded by CR/2014/0597/FUL.

CR/2006/0003/NCC: NON-COMPLIANCE WITH CONDITION 4 OF APPLICATION  
CR/2005/0384/FUL TO LIMIT THE SALES AREA TO 582 SQ M (AMENDED LOCATION PLAN RECEIVED)

Superseded by CR/2014/0597/FUL.

CR/2014/0597/FUL: ERECTION OF SIDE EXTENSION AT UNIT 1A, CREATION OF ADDITIONAL MEZZANINE FLOORSPACE AT 1ST FLOOR AND NEW MEZZANINE AT 2ND FLOOR LEVEL TO INCLUDE ANCILLARY CAFE. ERECTION OF NEW SHOPFRONTS AND ASSOCIATED FACADE WORKS TO UNITS 1A, 1B AND 1C (AMENDED PLANS RECEIVED)

Condition 4. The units identified as 1B and 1C that form the application shall be restricted to ancillary sales of food to be consumed off of the premises only. This is taken as a trading area totalling less than 10% of net floor space.

REASON: A convenience retail unit would require further assessment due to an increased parking requirement as defined within SPD1 and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with TC4 of the Core Strategy 2008.

Condition 5. Prior to occupation the applicant shall submit a floor plan to the Local Planning Authority identifying the location of the ancillary cafe. In accordance with its description as ancillary the café shall total less than 10% of the net floor space available.

REASON: A convenience retail unit would require further assessment due to an increased parking requirement as defined within SPD1 and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with TC4 of the Core Strategy 2008.

CR/2018/0209/192: CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OF 46SQM AT GROUND FLOOR LEVEL AS TRAVEL AGENCY CONCESSION AREA (CLASS A1)

Granted.

## 3.5 Unit 1C (currently TK Maxx)

CR/2004/0002/FUL: ALTERATIONS TO EXISTING BUILDING COMPRISING SUB-DIVISION TO FORM 2 RETAIL UNITS, REMOVAL OF PART OF EXISTING STORAGE PLATFORM, ERECTION OF EXTENSION TO EXISTING STORAGE PLATFORM FOR PART RETAIL AND PART STORAGE USE, CHANGE OF USE OF PART OF EXISTING STORAGE PLATFORM TO RETAIL USE (CLASS A1), ERECTION OF NEW STAIRCASE, RELOCATION OF LOADING BAY, MODIFICATIONS TO AMENITIES BLOCK AND INSTALLATION OF NEW DISABLED ACCESS LIFT

CR/2004/0702/FUL: ERECTION OF STORAGE MEZZANINE & ANCILLARY ACCOMMODATION

Superseded by CR/2005/0702/FUL and CR/2014/0597/FUL

CR/2005/0384/FUL: SUB DIVISION OF EXISTING UNIT TO FORM 2 UNITS, RECONFIGURATION OF EXISTING MEZZANINE & ALTERATIONS TO BUILDING EXTERIOR

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Condition 2 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow parking and/or cause harmful environmental effects contrary to Policies GD34 and T2 of the Crawley Borough Local Plan 2000.

Condition 4. The existing mezzanine floor which will now be in both units shall be limited to a sales area of 814 square metres and shall not be extended or subdivided in any manner.

REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow parking and/or cause harmful environmental effects contrary to Policies GD34 and T2 of the Crawley Borough Local Plan 2000.

CR/2014/0597/FUL: ERECTION OF SIDE EXTENSION AT UNIT 1A, CREATION OF ADDITIONAL MEZZANINE FLOORSPACE AT 1ST FLOOR AND NEW MEZZANINE AT 2ND FLOOR LEVEL TO INCLUDE ANCILLARY CAFE. ERECTION OF NEW SHOPFRONTS AND ASSOCIATED FACADE WORKS TO UNITS 1A, 1B AND 1C (AMENDED PLANS RECEIVED)

Condition 4. The units identified as 1B and 1C that form the application shall be restricted to ancillary sales of food to be consumed off of the premises only. This is taken as a trading area totalling less than 10% of net floor space.

REASON: A convenience retail unit would require further assessment due to an increased parking requirement as defined within SPD1 and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with TC4 of the Core Strategy 2008.

Condition 5. Prior to occupation the applicant shall submit a floor plan to the Local Planning Authority identifying the location of the ancillary cafe. In accordance with its description as ancillary the café shall total less than 10% of the net floor space available.

REASON: A convenience retail unit would require further assessment due to an increased parking requirement as defined within SPD1 and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with TC4 of the Core Strategy 2008.

## 3.6 Unit 2A (currently Hobbycraft)

CR/2006/0336/FUL: INSTALLATION OF MEZZANINE FLOOR superseded by CR/2007/0107/FUL

CR/2007/0107/FUL: INSTALLATION OF MEZZANINE FLOOR

Condition 2. The mezzanine floor hereby permitted shall be limited to 232 sqm of storage floor space and 392 sqm of sales floor space, unless the prior written consent is granted by the Local Planning Authority.

REASON: The applicant has not demonstrated that a more intensive use would meet its parking requirements, in accordance with policies GD1, GD3 and T9 of the Crawley Borough Local Plan 2000 and Supplementary Planning Guidance Note 16 `Parking Standards and Transport Contributions`.

Condition 4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow vehicle parking and/or cause harmful environmental effects contrary to Policies GD34 and T2 of the Crawley Borough Local Plan 2000.

## 3.7 Unit 2B (currently Furniture Village)

CR/2000/0453/FUL: INSTALLATION OF NEW MEZZANINE FLOOR Superseded by CR/2007/0246/FUL.

CR/2007/0246/FUL: SUBDIVISION OF EXISTING UNIT 2B TO CREATE 2 UNITS (UNITS 2B & 2D) & RECONFIGURATION OF EXISTING MEZZANINE TO CREATE A MEZZANINE WITHIN BOTH UNITS (2B & 2D). INSTALLATION OF MEZZANINE WITHIN UNIT 2C & ASSOCIATED

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## SHOPFRONT ALTERATIONS & ALTERATIONS TO PAVEMENT & CAR PARKING LAYOUT OUTSIDE UNITS 2B, 2C & 2D.

Condition 2. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow vehicle parking and/or cause harmful environmental effects contrary to Policies GD34 and T2 of the Crawley Borough Local Plan 2000.

CR/2009/0112/192: CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OF UNITS 2B AND 2D FOR UNRESTRICTED RETAIL SALES INCLUDING THE SALE OF FOOD AND DRINK WITHIN USE CLASS A1

The evidence submitted is considered to demonstrate, that subject to the implementation of application CR/2007/0246/FUL that condition 14 of Outline Application CR/538/86 would no longer apply and that the use of the created Units would fall within use Class A1 of the Use Classes (Amendment) Order 2005. A certificate of lawfulness of use under section 192 of the Town and Country Planning Act 1990 (as amended) can therefore be issued.

The mezzanine floor was implemented in this unit, but the sub-division of unit 2B was not undertaken.

### 3.8 Unit 2C (currently Oak Furniture Land)

CR/2007/0246/FUL: SUBDIVISION OF EXISTING UNIT 2B TO CREATE 2 UNITS (UNITS 2B & 2D) & RECONFIGURATION OF EXISTING MEZZANINE TO CREATE A MEZZANINE WITHIN BOTH UNITS (2B & 2D). INSTALLATION OF MEZZANINE WITHIN UNIT 2C & ASSOCIATED SHOPFRONT ALTERATIONS & ALTERATIONS TO PAVEMENT & CAR PARKING LAYOUT OUTSIDE UNITS 2B, 2C & 2D.

Condition 2. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow vehicle parking and/or cause harmful environmental effects contrary to Policies GD34 and T2 of the Crawley Borough Local Plan 2000.

The mezzanine floor was implemented in this unit, but the sub-division of unit 2B was not undertaken.

### 3.9 Unit 3A (currently B&M)

CR/98/0505: REARRANGEMENT OF EXISTING RETAIL SPACE AND NEW SERVICE YARD, ERECTION OF NEW RETAIL UNIT, MINOR MODIFICATION TO PARKING ARRANGEMENTS

Condition 2. No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or storage areas at any time approved by the Local Planning Authority.

REASON: To safeguard the amenities of neighbouring properties

Condition 3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 as amended, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow vehicle parking and/or cause harmful environmental effects.

Condition 5. The premises shall not be used for the sale of food other than confectionary.

REASON: To prevent a harmful diversion and trade from established centres contrary to the policies of the Local Plan.

Condition 6. The loading bays shown on the approved plans shall be constructed and retained for such use and no storage or retail uses shall take place in the areas so provided.

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REASON: To ensure that adequate and satisfactory provision is made for loading clear of the highway.

## 3.10 Unit 3B & 3C (currently Currys/PC World)

CR/1998/0505/FUL: REARRANGEMENT OF EXISTING RETAIL SPACE AND NEW SERVICE YARD, ERECTION OF NEW RETAIL UNIT, MINOR MODIFICATION TO PARKING ARRANGEMENTS. Superseded by CR/2018/0196/FUL.

CR/2012/0162/FUL: ERECTION OF MEZZANINE, EXTERNAL ALTERATIONS AND THE AMALGAMATION OF TWO UNITS INTO ONE Superseded by CR/2018/0196/FUL.

CR/2018/0196/FUL: INTERNAL AND EXTERNAL RECONFIGURATION OF EXISTING UNITS INCLUDING CREATION OF A NEW CLASS A1 UNIT, AND REAR EXTENSION TO UNIT 3D. THE PROPOSAL INCLUDES NEW SHOPFRONT AND ASSOCIATED WORKS

This permission has been implemented and the conditions below therefore apply:

Condition 4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended, the mezzanine floorspace within unit 3B shall only be used for the display and sale of bulky goods unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: In the interests of the vitality and viability of the town centre accordance with Policy EC7 of the Crawley Borough Local Plan 2015-2030.

Condition 5. The units as reconfigured and extended shall not provide more than 6,744sqm of gross internal retail floorspace.

REASON: In the interests of the vitality and viability of the town centre in accordance with Policy EC7 of the Crawley Local Plan 2015-2030.

Condition 6. The premises shall not be used for the sale of food other than confectionary.

REASON: A convenience retail unit would not be considered acceptable in this retail park due to an increased parking requirement as defined within the Urban Design SPD and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with Policy EC7

Condition 7. The building hereby permitted shall not be occupied until provision for 14 covered cycle parking spaces have been provided in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for cycle parking.

REASON: To ensure that adequate and satisfactory provision is made for cycles parking clear of adjacent highways in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030 and cycle parking standards of the 2016 Urban Design SPD.

Condition 8. The building(s) shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not

thereafter be used for any purpose other than the parking and turning of vehicles.

REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

Condition 9. Prior to the installation of new toilets, showers, sinks and other water consuming components within any unit with the development, details of their water consumption levels shall be submitted to and approved in writing by the Local Planning Authority. The components shall subsequently be installed in accordance with the approved details.

REASON: To help address water stress in Crawley in the interests of sustainability and in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 of the Crawley Local Plan 2015-2030.

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CR/2022/0112/191: CERTIFICATE OF LAWFULNESS TO CONFIRM THAT DEVELOPMENT PERMITTED BY CR/2018/0196/FUL COMMENCED LAWFULLY ON SITE IN ACCORDANCE WITH THE APPROVED DRAWINGS ON 10TH JANUARY 2022.

The development has been lawfully implemented within the timescales as required by condition 1, in accordance with the approved drawings condition 2 and following the submission of satisfactory pre-commencement details relating to condition 3.

A Certificate of Lawfulness can therefore be issued under Section 191 of the Town and Country Planning Act 1990 (as amended).

## 3.11 Unit 3D (currently vacant)

CR/2012/0162/FUL: ERECTION OF MEZZANINE, EXTERNAL ALTERATIONS AND THE AMALGAMATION INTO OF TWO UNITS INTO ONE.

Superseded by CR/2018/0196/FUL

CR/2012/0340/FUL: AMALGAMATION OF UNITS AND EXTERNAL ALTERATIONS

Superseded by CR/2018/0196/FUL.

CR/2018/0196/FUL: INTERNAL AND EXTERNAL RECONFIGURATION OF EXISTING UNITS INCLUDING CREATION OF A NEW CLASS A1 UNIT, AND REAR EXTENSION TO UNIT 3D. THE PROPOSAL INCLUDES NEW SHOPFRONT AND ASSOCIATED WORKS

Condition 4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended, the mezzanine floorspace within unit 3B shall only be used for the display and sale of bulky goods unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: In the interests of the vitality and viability of the town centre accordance with Policy EC7 of the Crawley Borough Local Plan 2015-2030.

Condition 5. The units as reconfigured and extended shall not provide more than 6,744sqm of gross internal retail floorspace.

REASON: In the interests of the vitality and viability of the town centre in accordance with Policy EC7 of the Crawley Local Plan 2015-2030.

Condition 6. The premises shall not be used for the sale of food other than confectionary.

REASON: A convenience retail unit would not be considered acceptable in this retail park due to an increased parking requirement as defined within the Urban Design SPD and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with Policy EC7

Condition 7. The building hereby permitted shall not be occupied until provision for 14 covered cycle parking spaces have been provided in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for cycle parking.

REASON: To ensure that adequate and satisfactory provision is made for cycles parking clear of adjacent highways in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030 and cycle parking standards of the 2016 Urban Design SPD.

Condition 8. The building(s) shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not

thereafter be used for any purpose other than the parking and turning of vehicles.

REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

Condition 9. Prior to the installation of new toilets, showers, sinks and other water consuming components within any unit with the development, details of their water consumption levels shall be



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submitted to and approved in writing by the Local Planning Authority. The components shall subsequently be installed in accordance with the approved details.

REASON: To help address water stress in Crawley in the interests of sustainability and in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 of the Crawley Local Plan 2015-2030.

CR/2022/0112/191: CERTIFICATE OF LAWFULNESS TO CONFIRM THAT DEVELOPMENT PERMITTED BY CR/2018/0196/FUL COMMENCED LAWFULLY ON SITE IN ACCORDANCE WITH THE APPROVED DRAWINGS ON 10TH JANUARY 2022.

The development has been lawfully implemented.

PART OF UNIT 4A, COUNTY OAK RETAIL PARK, COUNTY OAK WAY, LANGLEY GREEN, CRAWLEY

CR/2013/0507/FUL - CHANGE OF USE FROM A1 TO A1 (RETAIL) AND/OR A3 (RESTAURANTS & CAFES).

This application does not appear to be relevant as it was not implemented and has now expired.

## 3.12 Unit 4b (currently Halfords)

CR/1994/0398 ERECTION OF MEZZANINE FLOOR – no relevant conditions.

CR/2004/0235/FUL - ERECTION OF MEZZANINE FLOOR

Superseded by CR/2018/0196/FUL

CR/2018/0196/FUL: INTERNAL AND EXTERNAL RECONFIGURATION OF EXISTING UNITS INCLUDING CREATION OF A NEW CLASS A1 UNIT, AND REAR EXTENSION TO UNIT 3D. THE PROPOSAL INCLUDES NEW SHOPFRONT AND ASSOCIATED WORKS

Condition 4. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended, the mezzanine floorspace within unit 3B shall only be used for the display and sale of bulky goods unless permission is granted by the Local Planning Authority on an application in that behalf.

REASON: In the interests of the vitality and viability of the town centre accordance with Policy EC7 of the Crawley Borough Local Plan 2015-2030.

Condition 5. The units as reconfigured and extended shall not provide more than 6,744sqm of gross internal retail floorspace.

REASON: In the interests of the vitality and viability of the town centre in accordance with Policy EC7 of the Crawley Local Plan 2015-2030.

Condition 6. The premises shall not be used for the sale of food other than confectionary.

REASON: A convenience retail unit would not be considered acceptable in this retail park due to an increased parking requirement as defined within the Urban Design SPD and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with Policy EC7

Condition 7. The building hereby permitted shall not be occupied until provision for 14 covered cycle parking spaces have been provided in accordance with details to be submitted to and approved by the Local Planning Authority and such provision shall thereafter be used only for cycle parking.

REASON: To ensure that adequate and satisfactory provision is made for cycles parking clear of adjacent highways in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030 and cycle parking standards of the 2016 Urban Design SPD.

Condition 8. The building(s) shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.

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REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

Condition 9. Prior to the installation of new toilets, showers, sinks and other water consuming components within any unit with the development, details of their water consumption levels shall be submitted to and approved in writing by the Local Planning Authority. The components shall subsequently be installed in accordance with the approved details.

REASON: To help address water stress in Crawley in the interests of sustainability and in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 of the Crawley Local Plan 2015-2030.

CR/2022/0112/191: CERTIFICATE OF LAWFULNESS TO CONFIRM THAT DEVELOPMENT PERMITTED BY CR/2018/0196/FUL COMMENCED LAWFULLY ON SITE IN ACCORDANCE WITH THE APPROVED DRAWINGS ON 10TH JANUARY 2022.

Issued as evidence has been provided that the relevant conditions had been discharged and works had been undertaken to implement the development.

CR/2022/0112/191: CERTIFICATE OF LAWFULNESS TO CONFIRM THAT DEVELOPMENT PERMITTED BY CR/2018/0196/FUL COMMENCED LAWFULLY ON SITE IN ACCORDANCE WITH THE APPROVED DRAWINGS ON 10TH JANUARY 2022.

The development has been lawfully implemented.

## **PLANNING POLICY:-**

### 4.1 National Planning Policy Framework (Dec 2023)

Paragraph 7. *“The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”*

Paragraph 47. *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.”*

Paragraph 48 sets out when weight may be given to relevant policies in emerging plans.

Paragraph 55 advocates the use of planning conditions and/or obligations to make an otherwise unacceptable development, acceptable.

Paragraph 85 includes applying significant weight to be placed on supporting economic growth and productivity taking into account business needs.

Section 7 generally sets out policy to protect town centres, and sets out policy when town centre uses can be permitted outside of defined town centres and primary shopping areas.

Paragraph 114 requires opportunities for sustainable transport modes are taken up, access is safe and suitable for all users, the development is undertaken in accordance with nation guidance and significant impacts on the transport network in terms of capacity and congestion mitigated.

### 4.2 Crawley Borough Local Plan 2015-2030

The following policies are relevant:

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- Policy SD1 (Presumption in Favour of Sustainable Development) The Council will take a positive approach, in line with the planned approach to Crawley new town, to approving development which is sustainable and work proactively with applicants, stakeholders and other partners to find solutions. Development will be supported where it meets strategic objectives including
- Policy CH3 (Normal Requirements of all New Development) Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by Design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and, where any are lost, replacement tree planting should accord with the standards set out in policy CH6.
- Policy EC1 (Sustainable Economic Growth) This policy supports Crawley's role as the key economic driver for the Gatwick Diamond area and supports business growth. The policy seeks to ensure that Crawley's recognised economic role and function is maintained and enhanced through building upon and protecting the established role of Manor Royal as the key Business (B1), General Industry (B2) and Storage and Distribution (B8) location for Crawley and ensuring that it is the focus for sustainable economic growth. The policy sets out the need for approximately 23 hectares of employment land over the plan period.
- Policy EC2 (Economic Growth in Main Employment Areas) recognises the significant contribution that the town's employment areas make to its economy and that of the wider area, and protects against net loss of employment floorspace.
- Policy EC7 (Retail and Leisure Development outside the Primary Shopping Area), which states: *"Retail and leisure proposals in Crawley will follow the NPPF 'Town Centre first' principle with development directed to the most sequentially preferable and sustainable locations, firstly within the Primary Shopping Area. Proposals for edge-of-centre or out-of-centre development, will be permitted where it can be demonstrated that: a) the proposed development cannot be met on more central sites, having applied the sequential test; and b) the impact of the development will not undermine the vitality and viability of the town centre, as existing and planned, or neighbourhood centres. In assessing the impact of out-of-centre retail development proposals under part b), a retail impact assessment will be required to support proposals for 2,500sqm gross floorspace or greater. The existing out of town centre retail locations at County Oak and London Road Retail Parks have an established retail warehouse function and should remain the focus for any out-of-centre retail proposals subject to satisfying the sequential assessment and impact testing."*
- Policy IN3 (Development and Requirements for Sustainable Transport) Development should be focussed to achieve sustainable transport through use of public transport, walking and cycling. Development should meet the access needs generated and not have unacceptable impact on congestion or highway safety. Proposals should be supported by a Transport Statement/Assessment.
- Policy IN4 (Car and Cycle Parking Standards) Proposals should provide the appropriate car, lorry, motorcycle and cycle parking required by supplementary guidance.

## 4.3 Draft Crawley Borough Local Plan 2023-2040

Following the close of the Local Plan Examination Hearings, receipt of the Inspectors' Post-Hearing letter (dated 31 January 2024) and the publication of the Main Modifications for formal public consultation, the emerging Crawley Borough Local Plan 2023-2040 has reached a very advanced stage. Due to this advanced stage, the up-to-date evidence supporting the emerging Local Plan and the clear indications provided in the Inspectors' Post-Hearing letter, the policies in the emerging Local Plan should be given substantial weight. This should only differ where there is a Main Modification proposed to the policy element being applied. The following policies are relevant:

- Strategic Policy SD1: Presumption Favour of Sustainable Development
- Policy DD1: Normal Requirements of all New Development

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- Strategic Policy EC1: Sustainable Economic Growth
- Policy EC2: Economic Growth in Main Employment Areas
- Policy SDC3: Tackling Water Stress
- Strategic Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards
- Policy TC5: Town Centre First

## Supplementary Planning Documents

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

Urban Design (adopted October 2016) – This SPD also sets out the car and cycle parking standards for the Borough.

## **PLANNING CONSIDERATIONS:-**

5.1 The main issues for consideration are:

- Principle and retail impact of the proposal to introduce a condition to permit 2507sqm of food retailing within the wider County Oak site
- Conditions and existing restrictions/control at County Oak
- Highways and parking
- Water neutrality.

## Principle of the proposals and retail impact of the proposal to introduce a condition to permit 2507sqm of food retailing within the wider County Oak site

5.2 Two key retail issues are required to be considered – Firstly, planning permission was granted in 2007 (CR/2007/0246/FUL) for the SUBDIVISION OF EXISTING UNIT 2B TO CREATE 2 UNITS (UNITS 2B & 2D) & RECONFIGURATION OF EXISTING MEZZANINE TO CREATE A MEZZANINE WITHIN BOTH UNITS (2B & 2D). INSTALLATION OF MEZZANINE WITHIN UNIT 2C & ASSOCIATED SHOPFRONT ALTERATIONS & ALTERATIONS TO PAVEMENT & CAR PARKING LAYOUT OUTSIDE UNITS 2B, 2C & 2D. The planning permission was implemented in part, and as the development created new planning units without controls of the retail use of the site the principle of an unrestricted retail consent for Units 2B and 2C is accepted. This has been confirmed by the Council in the subsequent 2009 Lawful Development Certificate (CR/2009/0112/192). As the permission remains extant and, as confirmed by the 2009 Lawful Development Certificate, the floorspace where the development was implemented could now be used for the sale of food and drink.

5.3 In terms of the retail impact to permit 2507sqm of food retailing within the wider County Oak site, the NPPF, the Planning Practice Guidance and Local Plan policy EC7 seek to ensure the vitality and viability of town centres through the town centre first approach. Initially the retail park was assessed and granted permission for non-food retail floorspace. Given the out-of-centre location of County Oak Retail Park and the amount of retail floorspace concerned, both sequential assessment and impact testing would normally be required for food and drink retail floorspace of 2,507 square metres. However, the potential use of this extent of floor area for food and drink within Units 2B and 2C, although not assessed in retail policy terms, has already been established by the 2007 permission. The current application would not create any additional unrestricted retail floorspace beyond that permitted in 2007. The condition proposed would allow the potential for the existing open retail floorspace within Units 2B and 2C to be redistributed around the units within the retail park and would not result in the creation of any additional unrestricted retail floorspace than can already be lawfully provided.

5.4 In addition it is also considered expedient to update other conditions that apply to the overall use of the site. It is necessary to restrict the use to retail use class E(a) to limit potential other uses within Class E outside of retailing that could result in adverse impacts upon the operation of the town centre, the retail park and the main employment area.

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- 5.5 As the proposed variation of condition would not create any additional unrestricted retail floorspace or result in an additional impact upon Crawley's other established retail centres, it is therefore considered acceptable. It is, however, important that an appropriate planning condition to control the food and drink floorspace across the site is attached to any new permission.

## Conditions and existing restrictions/controls at County Oak

- 5.6 There is an extensive planning history for the units at County Oak with many having been extended and altered since they were originally granted outline planning permission in 1988. The relevant planning permissions and applicable conditions that apply to each unit and which would be relevant to the proposal are set out in the Planning History Section of this report.
- 5.7 The applicant is proposing to rationalise the outstanding relevant restrictions and conditions that apply to County Oak except for the café more recently erected in the car park. In order to do this the still relevant conditions are proposed to be re-applied to the site overall and each respective unit. In some cases the conditions need to be re-worded to ensure the conditions are up to date. It would also enable the Local Planning Authority to ensure that the conditions are consistent and enables any potential discrepancies in conditions to be rectified. Rationalising the existing planning permissions for the site will, if the planning permission is permitted, also provide a higher degree of clarity as to the restrictions that apply to each unit for the current and future occupiers of the retail units in the site.
- 5.8 On the basis of the planning history it is considered that either the original or updated versions of the following conditions should be applied. The original conditions are set out in detail in the planning history section above and the following paragraphs list the approach to be taken.
- 5.9 Original Outline Permission CR/588/86 – All buildings on site  
Conditions:
2. External Storage - To be covered by site wide condition for County Oak Retail Park
  3. Parking - To be covered by site wide condition for County Oak Retail Park - Updated
  7. Access onto Depot Road - To be covered by site wide condition for County Oak Retail Park
  12. Restriction of Permitted Development Rights to extend or alter the buildings - To be covered by site wide condition for County Oak Retail Park - Updated
  13. External Lighting - To be covered by site wide condition for County Oak Retail Park
  14. Control over the sales of food - To be covered by new site wide conditions to control the overall levels of unrestricted retail floorspace within County Oak Retail Park.
- 5.10 The following conditions would be specific to the units indicated:

### Unit 1A

CR/2014/0597/FUL

5. Restriction on the amount of floorspace that can be used as a café – Updated
6. Bird Hazard Management – Updated.

### Units 1B and 1C

CR/2005/0384/FUL

4. Control of the mezzanine floorspace – Amended

CR/2014/0597/FUL

4. Control over the sales of food. To be covered by new site wide conditions to control the overall levels of unrestricted retail floorspace within County Oak Retail Park.

### Unit 2A

CR/2007/0107/FUL

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2. Control of the mezzanine floorspace – Re-applied

## Unit 3A

CR/1998/0505/FUL

2. External Storage – To be covered by site wide condition for County Oak retail Park.
3. Restriction of Permitted Development Rights to extend or alter the buildings – Updated and covered by a site wide condition for County Oak Retail .
5. Control over the sales of food - To be covered by new site wide conditions to control the overall levels of unrestricted retail floorspace within County Oak Retail Park.
6. Loading bays

## Units 3B/3C/3D and 4B

CR/2018/0196/FUL

4. Control of the mezzanine floorspace – Re-applied
5. Restriction on the total amount of retail floor-space. – Re-applied
6. Control over the sales of food. To be covered by new site wide conditions to control the overall levels of unrestricted retail floorspace within County Oak Retail Park.
7. Cycle Parking – Updated and re-applied
8. Parking Spaces – Updated and re-applied
9. Water use control – Updated and re-applied.

- 5.11 The recommendation therefore includes a significant number of conditions to ensure that previously imposed controls are re-applied to County Oak Retail Park, but excludes conditions that are no longer applicable or that have been complied with and no longer require further action/control. It is therefore considered that the proposal would not result in a material change to the controls that currently apply to County Oak Retail Park.

## Highways and parking

- 5.12 The proposal would not result in an increase in the floorspace at County Oak Retail Park and no changes are proposed to the access, parking and service arrangements. The proposed condition to permit the use of the 2507sqm unrestricted floorspace by any unit in County Oak Retail Park, whilst potentially increasing the possibility that it may occur if a unit becomes available, would not increase the floorspace overall within the application site that can be used for unrestricted retailing. It is considered that the re-application of the other conditions will ensure that there remain suitable restrictions on the use of other units and the site more widely. It is therefore not considered that the proposals would be likely to result in an increase in the use of the car park or congestion on nearby roads, than may already occur with the existing planning permissions on site.
- 5.13 West Sussex County Council in its role as the Local Highway Authority has also confirmed that it does not object to the proposals, as they would not result in any noticeable intensification of the use of the site beyond that which could occur already.

## Water neutrality

- 5.14 The Local Planning Authority received a Position Statement from Natural England on 14 September 2021. It raised significant concerns about the impact of water abstraction in the Sussex North Water Resource Zone upon the Arun Valley's protected SAC, SPA and Ramsar sites. The proposal does not include any additional floorspace, neither would it result in a change of use of the floor-space from what can already be provided on site, albeit it is currently limited to one unit. However, an appropriate assessment would be required to comply with the Habitat Regulations to cover this aspect. The only part of the site that has control over water fittings is related to condition 9 of the planning permission granted under CR/2018/0196/FUL. It is therefore considered expedient to re-apply this condition. As the permission was however granted and implemented prior to the Natural England Position Statement being received, confirmed by the issuing of the certificate of lawfulness issued under

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CR/2022/0112/191, it would not be subject to the requirements of the Position Statement and does not therefore need to demonstrate water neutrality.

- 5.15 It is therefore considered that the development would be water neutral, however, this is subject to an appropriate assessment and consultation with Natural England, and it is therefore recommended that the proposals are permitted subject to the completion of the Habitats Regulations Assessment consultation with Natural England.

## **CONCLUSIONS:-**

- 6.1 The application seeks to rationalise the outstanding relevant restrictions and conditions that apply to County Oak Retail Park. It would ensure the conditions are up to date and consistent and would rectify any potential discrepancies. Rationalising the existing planning permissions for the site will also provide a higher degree of clarity as to the restrictions that apply to each unit for the current and future occupiers of the retail units in the site.
- 6.2 The 2007 planning permission for Units 2B and 2C effectively granted planning permission for open retail use. This was subsequently confirmed by a Lawful Development Certificate. The proposed variation of conditions, across the whole retail park, would not increase the amount of unrestricted retail floorspace. The rationalisation of the planning permissions that apply to the whole site would retain the required controls, in regards to parking, access, lighting etc. It is therefore considered that the proposals would be acceptable in retail policy, highways and parking terms, subject to a number of updated planning conditions as explained above.
- 6.3 It is considered that the development would be water neutral, and subject therefore to consultation with Natural England in regard to Habitats Regulations Assessment it is recommended that the Planning Committee determine to delegate the granting of planning permission to the Head of Economy and Planning.

## **RECOMMENDATION RE: CR/2023/0314/FUL:-**

To delegate to the Head of Economy and Planning the decision to PERMIT the application, subject to the conclusion of the Habitats Regulations Consultation with Natural England and to the following conditions:

1. 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.
2. The development shall be used only for purposes within Use Class E(a) for the display or retail sale of goods, other than hot food, principally to visiting members of the public as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).  
REASON: To protect the function of the Town Centre and ensure the development does not have an adverse impact upon the operation of the highway in accordance with policies CH3, EC7, IN3 and IN4 of the Crawley Borough Local Plan 2015-2030, policies DD1, TC5, ST1 and ST2 of the Draft Crawley borough Local Plan 2023-2040 and the Urban Design SPD.
3. The retail park shall not be used for the sale of food and drink, other than confectionary, except from a total trading area not exceeding 2,507 square metres. For the avoidance of doubt, the 2,507 square metres includes the ancillary food and drink sales as permitted within units 1B and 1C by virtue of planning permission CR/2014/0597/FUL.

Prior to any individual retail unit being used for any sale of food and drink or any increase in food and drink floorspace taking place, a Food Use Allocation Plan indicating the retail unit within which food and drink sales that are proposed shall have been submitted to and approved in writing by the Local Planning Authority. The Food Use Allocation Plan shall include details of all units being used for the sale of food and drink, including the extent of the sales floorspace. At no time shall the sale of food and drink cumulatively exceed 2,507 square metres across the retail park.

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REASON: To ensure that any use of the retail park for the sale of food and drink can be properly controlled in accordance with policy EC7 of the Crawley Borough Local Plan 2015-2030 and policy TC5 of the Draft Crawley Borough Local Plan 2023-3040, the relevant provisions of the National Planning Policy Framework and the Planning Practice Guidance.

4. Notwithstanding the provisions of Class A, Part 7, Schedule 2 of the Town and Country Planning General Permitted Development Order 2015 as amended, the buildings shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.  
REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow parking and/or cause harmful environmental effects contrary to Policies CH3, IN3 and IN4 of the Crawley Borough Local Plan 2015-2030, Policies DD1, ST1 and ST2 of the Draft Crawley Borough Local Plan 2023-2040 and the Urban Design SPD.
5. The car parking on site shall be retained and kept solely for the parking of cars.  
REASON: To ensure the development can meet its parking requirements without an adverse impact on the operation of the highway in accordance with policies CH3, IN3 and IN4 of the Crawley Borough Local Plan 2015-2030, policies DD1, ST1 and ST2 of the Draft Crawley Borough Plan 2023-2040 and the Urban Design SPD.
6. There shall be no pedestrian or vehicular access to/from the site to Depot Road.  
REASON: To protect the amenities of neighbouring houses and Langley Green Hospital, in the interests of highway safety and in order for any future proposals for such access to be properly assessed in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030 and policies CH3 and ST1 of the Draft Crawley Borough Local Plan 2023-2040.
7. No raw materials, finished or unfinished products or parts, crates, packing materials or waste shall be stacked or stored on the site except within the buildings or storage areas at any time approved by the Local Planning Authority.  
REASON: In the interests of visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030 and policy DD1 of the Draft Crawley Borough Local Plan 2023-2040.
8. No external lighting or floodlighting shall be installed without the prior written approval of the Local Planning Authority.  
REASON: To safeguard the amenities of neighbouring properties in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030 and policy DD1 of the Draft Crawley Borough Local Plan 2023-2040.
9. The ancillary cafe at Unit 1A shall be in accordance with the details approved under ref CR/2014/0597/CC2.  
REASON: A unrestricted retail unit would require further assessment due to an increased parking requirement as defined within Urban Design SPD and to protect the vitality and viability of the town centre and neighbourhood centres in accordance with policies CH3, IN3, IN4 and EC7 of the Crawley Borough Local Plan 2015-2030, policies DD1, TC5, ST1 and ST2 of the Draft Crawley Borough Local Plan 2023-2040 and the Urban Design SPD.
10. The existing mezzanine floor permitted under ref. CR/2005/0384/FUL for units 1B and 1C shall be limited to a sales area of 814 square metres and shall not be extended or subdivided in any manner.  
REASON: A more intensive use of the site would be likely to cause congestion on adjacent roads through overflow parking and/or cause harmful environmental effects contrary to Policies CH3 IN3 and IN4 of the Crawley Borough Local Plan 2015-2030 and policies DD1, ST1 and ST2 of the Draft Crawley Borough Local Plan 2023-2040 and the Urban Design SPD.
11. The Bird Hazard Management Plan for units 1A, 1B and 1C agreed under ref. CR/2014/0597/CC1 shall remain in force for the lifetime of the building.  
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 policies CH3 and GAT1 of the Crawley Borough Local Plan 2015-2030 and policy DD5 of the Draft Crawley Borough Local Plan 2023-2040 and the Urban Design SPD.



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12. The mezzanine floor permitted for unit 2A by planning permission CR/2007/0107/FUL shall be limited to 232 sqm of storage floor space and 392 sqm of sales floor space.  
REASON: The applicant has not demonstrated that a more intensive use would meet its parking requirements, in accordance with policies CH3 IN3 and IN4 of the Crawley Borough Local Plan 2015-2030 and policies DD1, ST1 and ST2 of the Draft Crawley Borough Local Plan 2023-2040 and the Urban Design SPD. Urban Design Supplementary Planning Document.
13. The loading bays for unit 3A shown on the plans approved under ref. CR/1998/0505/FUL shall be retained for such use and no storage or retail uses shall take place in the areas so provided.  
REASON: To ensure that adequate and satisfactory provision is made for loading clear of the highway to comply with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030, policies DD1 and ST1 of the Draft Crawley Borough Local Plan 2023-2040 and the Urban Design SPD.
14. The floorspace at Units 3B/3C., 3D and 4B as reconfigured and extended shall not exceed 6744sqm of gross internal retail floorspace.  
REASON: In the interests of the vitality and viability of the town centre in accordance with policy EC7 of the Crawley Local Plan 2015-2030 and policy TC5 of the Draft Crawley Borough Local Plan 2023-2040.
15. The building permitted at Units 3B, 3C, 3D and 4A by CR/2018/0196/FUL shall not be occupied until provision of 14 covered cycle parking spaces have been provided in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority and such provision shall thereafter only be used for cycle parking.  
REASON: To ensure the adequate cycle parking is provided in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030, policies DD1, ST1 and ST2 of the Draft Crawley Borough Local Plan 2023-2040 and the Urban Design SPD.
16. The buildings permitted at Units 3B, 3C, 3D and 4A by CR/2018/0196/FUL shall not be occupied until the parking spaces and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking and turning of vehicles.  
REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030, policies DD1 and ST2 of the Draft Crawley Borough Local Plan 2023-2040 and the Urban Design SPD.
17. Prior to the installation of new toilets, showers, sinks and other water consuming components within Units 3B, 3C, 3D and 4A as a part of the development permitted under ref. CR/2018/0196/FUL, details of their water consumption levels shall be submitted to and approved in writing by the Local Planning Authority. The components shall subsequently be installed in accordance with the approved details.  
REASON: To help address water stress in Crawley in the interests of sustainability and in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 and policies SDC1 and SDC3 of the Draft Crawley Borough Local Plan 2023-2040.
18. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended, the mezzanine floorspace within unit 3B shall only be used for the display and sale of bulky goods.  
REASON: In the interests of the vitality and viability of the town centre in accordance with Policy EC7 of the Crawley Borough Local Plan 2015-2030 and policy TC5 of the Draft Crawley Borough Local Plan 2023-2040.

## NPPF Statement

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

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



# ArcGIS Web Map



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# Agenda Item 6

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 2 April 2024  
REPORT NO: PES/457(b)

**REFERENCE NO: CR/2023/0663/FUL**

**LOCATION:** [149 ROTHER CRESCENT, GOSSOPS GREEN, CRAWLEY](#)  
**WARD:** Gossops Green & North East Broadfield  
**PROPOSAL:** ERECTION OF SINGLE STOREY FLAT ROOF REAR EXTENSION

**TARGET DECISION DATE:** 7 February 2024

**CASE OFFICER:** Miss J Banks

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

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

Drawing Number	Revision	Drawing Title
CBC 001		Site Location Plan
002		Block Plan
2023-01		Existing Floor Plans and Elevations
2023-02		Proposed Floor Plans and Elevations

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

1. GAL Aerodrome Safeguarding No objections

## **NEIGHBOUR NOTIFICATIONS:-**

147 and 151 Rother Crescent.

## **RESPONSES RECEIVED:-**

None received.

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

The application has been submitted by Crawley Borough Council.

## **THE APPLICATION SITE:-**

- 1.1 The application site contains a two-storey, terraced dwellinghouse located on the north side of Rother Crescent, a residential street in the neighbourhood of Gossops Green. The property is brick built with a pitched pantile roof. The first floor front elevation has a section of horizontal white cladding. The west elevation of the property abuts a path which provides pedestrian access between Rother Crescent and the garaging area accessible from Cobnor Close to the rear. The footpath is bridged by the first floor of No.147 Rother Crescent.

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- 1.2 To the rear of the property is the rear garden, bounded predominantly by an approx. 1.8m high timber fencing and partly by the brick wall of the conservatory of No.151. To the rear of the site are garages.
- 1.3 The property is in the Sussex North Water Resource Zone supplied by Southern Water.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Planning permission is sought for the erection of a single storey rear extension which would be located alongside the western boundary line. The proposed extension would project out from the rear elevation by 3.9m and have a width of 4.7m. It would have a flat roof design with a height of 2.9m. Internally, the space will be used as a bedroom for a disabled occupant.

## **PLANNING HISTORY:-**

- 3.1 No planning history available.

## **PLANNING POLICY:-**

### 4.1 National Planning Policy Framework (2023)

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

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

The relevant policies include:

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

### 4.3 Emerging Crawley Borough Local Plan 2023-2040

Following the close of the Local Plan Examination Hearings, receipt of the Inspectors’ Post-Hearing letter (dated 31 January 2024) and the publication of the Main Modifications for formal public consultation, the emerging Crawley Borough Local Plan 2023-2040 has reached a very advanced stage. Due to this advanced stage, the up-to-date evidence supporting the emerging Local Plan and the clear indications provided in the Inspectors’ Post-Hearing letter, the policies in the emerging

# Agenda Item 6

Local Plan should be given substantial weight. This should only differ where there is a Main Modification proposed to the policy element being applied. The following policies are relevant:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CL1: Neighbourhood Principle
- Policy CL2: Making Successful Places – Principles of Good Urban Design
- Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy SDC1: Sustainable Design and Construction

## 4.4 Supplementary Planning Document (SPD)

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

### Extensions

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

### Materials, Finishes and Detailing

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

### Rear Extensions

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

### Avoiding Overshadowing and Dominance

- *'Overshadowing or dominating neighbours' houses and gardens can be avoided by keeping rear extensions relatively small as compared to the size of the main buildings and the gardens in which they stand.'*
- *'One or two storey rear extensions will need to maintain a minimum distance of 21 metres between the rear windows of an opposing dwelling and the rear facing windows of the extension, in order to avoid any potential overlooking and privacy issues.'*

### Maintaining Garden Depth

- *'A rear extension should not consume the entirety of a dwelling's private amenity space. A garden should be retained with a minimum depth of 10.5 metres measured from the extensions rear external wall to the property's rear boundary in length, in order to ensure adequate private outdoor space.'*

### Light Angles

- *A single storey extension should not encroach into an area measured by drawing a 45° angle from the nearest edge of a neighbour's window or door aperture*

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## Roofs

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

## **PLANNING CONSIDERATIONS:-**

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

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

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

- 5.2 No. 149 Rother Crescent is a modest terraced property in an area characterised by terraced rows and separate garaging facilities.
- 5.3 The proposed flat roof single storey rear extension would be simple in appearance and proportionate to the existing dwelling in terms of scale. It would not extend across the full width of the elevation, being set away from the eastern boundary with no. 151 by 1.8m, thus reducing its dominance on the property. The extension at 2.9m would be higher than the existing boundary treatment, however it would not cause significant harm to the visual amenities or the character of the area.
- 5.4 The brickwork, windows and fascias would match the existing materials.
- 5.5 A number of extensions and conservatories can be seen on nearby properties (e.g. Nos. 145, 151, 153, 206) showing that works to the rear are not unusual to the area. The proposed extension would not be visible from the scene of Rother Crescent, though it would be seen from the adjacent path leading to Cobnor Close/garages, however, it would be screened by the boundary fence and would not be an unsympathetic addition to the street scene.
- 5.6 The proposal is therefore considered acceptable and would comply with the relevant Local Plan policies, the design guidance contained within the Urban Design SPD and the relevant paragraphs of the NPPF.

### The impact on the amenities of neighbouring properties

- 5.7 The neighbouring property to the east, No.151 Rother Crescent, will see the most potential impacts from the proposed extension. No.151 has an existing conservatory situated on the boundary with No.149. The properties are situated on a slight incline such that No.151 sits on higher ground. The proposed extension is to be built away from the boundary with No.151, so that a gap of approximately 1.8m will be maintained. Given the difference in ground levels, the orientation of the dwellings and the gap to the boundary, the proposal is therefore considered acceptable and would not give rise to issues of overbearing or overshadowing.
- 5.8 To the west of the property is the path bridged by No. 147 Rother Crescent, a first floor maisonette. As there is no adjacent ground floor neighbour to the west, the proposed extension would not be harmful to the amenities of any occupier. The boundary of No.145 is approximately 3.4m away on the other side of the path.
- 5.9 It is considered that the proposal would comply with the relevant Local Plan policies, the design guidance contained within the Urban Design SPD and the relevant paragraphs of the NPPF.

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## Water Neutrality

- 5.10 The Local Planning Authority received a Position Statement from Natural England on 14 September 2021. It raised significant concerns about the impact of water abstraction in the Sussex North Water Resource Zone upon the Arun Valley's protected SAC, SPA and Ramsar sites. A screening assessment has now been undertaken, which concludes that the evidence shows that house extensions (excluding annexes and swimming pools) do not increase water usage and are therefore water neutral. The Local Planning Authority has therefore concluded that the proposed extension would not adversely affect the integrity of the protected sites and would not conflict with the obligations under the Conservation of Habitats and Species Regulations 2017.

## **CONCLUSIONS:-**

- 6.1 In conclusion, the proposed single storey rear extension is of an acceptable scale and design and would have an acceptable impact upon the character and appearance of the existing dwelling, the street scene and the area. It would not have a harmful effect on the amenities enjoyed by any neighbouring properties. The proposal would be water neutral. It is therefore considered that the proposal complies with the relevant policies of the Local Plan (2015-2030), the Draft Local Plan (2023-2040), the guidance contained within the Urban Design SPD (2016) and the relevant paragraphs of the NPPF (2023).

## **RECOMMENDATION RE: CR/2023/0663/FUL:-**

PERMIT subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and finishes of the external walls (and roof(s)) of the proposed single storey rear extension hereby permitted shall match in colour and texture to those of the existing dwelling.  
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and Policy DD1 of the emerging Crawley Borough Local Plan 2023-2040.

## NPPF Statement

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

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



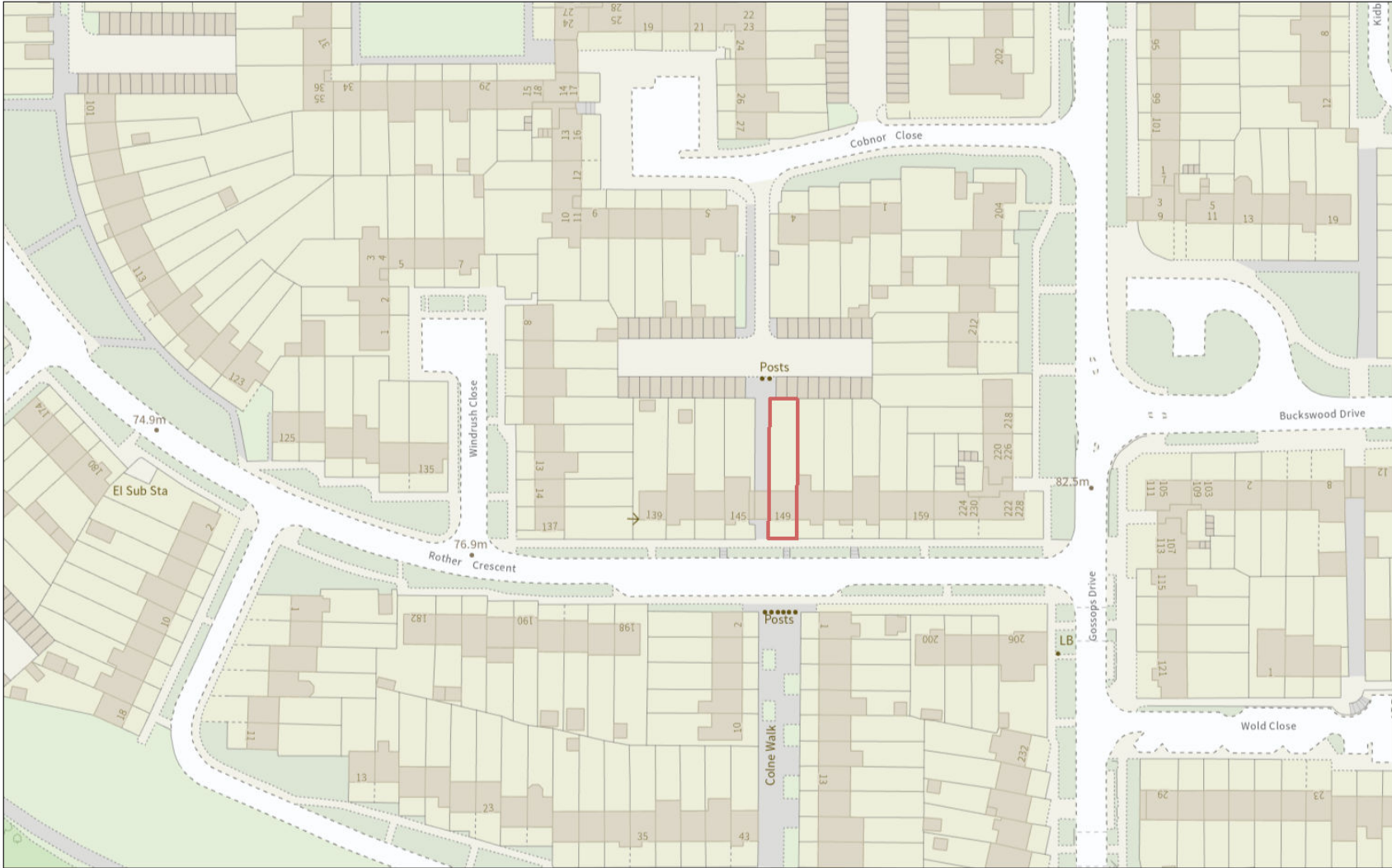


# ArcGIS Web Map



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# Agenda Item 7

**CRAWLEY BOROUGH COUNCIL**  
PLANNING COMMITTEE - 2 April 2024  
REPORT NO: PES/457(c)

REFERENCE NO: CR/2024/0057/FUL

**LOCATION:** [76 GALES DRIVE, THREE BRIDGES, CRAWLEY](#)  
**WARD:** Three Bridges  
**PROPOSAL:** ERECTION OF TWO STOREY REAR EXTENSION AND SINGLE STOREY SIDE EXTENSION

**TARGET DECISION DATE:** 29 March 2024

**CASE OFFICER:** Mr R. McCardle

**APPLICANT'S NAME:** Mr M Amer

**AGENT'S NAME:** Mr M Amer

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

Drawing Number	Revision	Drawing Title
CBC 001		Location Plan
RDS/3720/001	G	Existing & Proposed First Floor Plan
RDS/3720/002	G	Existing & Proposed Elevations
RDS/3720/001	G	Comparison of Previously Approved and Currently Proposed Ground Floor Plan
RDS/3720/001	G	Existing & Proposed Ground Floor Plans

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

None.

## **NEIGHBOUR NOTIFICATIONS:-**

56 Ridgeside.  
Three Bridges Junior School.  
74 Gales Drive.

## **RESPONSES RECEIVED:-**

None received.

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

The applicant is related to a Crawley Borough Council employee.

## **THE APPLICATION SITE:-**

1.1 The application site contains a two storey, detached house located on the south side of Gales Drive within the residential neighbourhood of Three Bridges. The house is finished in a buff yellow brick with a red pantile roof and has feature chimneys on each side gable. It has white UPVC fenestration and a simple flat roof canopy over the front door. The house is set back from the road to the front by

# Agenda Item 7

approximately 16 metres and is bounded by a timber fence and hedges/shrubs. It is on a modest plot. The property has no off-street parking.

- 1.2 No. 74 Gales Drive lies to the west and is an end terrace house. The rear wall of No. 76 is set back five metres from the rear wall of No. 74. To the east and south is Three Bridges Primary School, with No. 76 originally built as the caretaker's house for the school. A vehicular access to the school lies to the east of No. 76. Terraced houses in Ridgeside lie to the south-west.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Householder planning permission is sought for the construction of a part two storey / part single storey rear and side extension. Although this is a freestanding householder application, planning permission CR/2023/0220/FUL was granted in November 2023 for a similar extension that the current application effectively amends.
- 2.2 The proposal is for an extension with a stepped rear elevation projecting to a maximum depth of 5.5m from the original rear wall on its east side and reducing to 4m on the west side. The extension would have a width of 11.5m at ground floor level and 6.5m at first floor level, and a height of 7.2m to match the existing roof ridge. The two-storey element would have a hipped roof with mono-pitch roofs over the single-storey sections. The extension would sit between 1.3m and 2.8m from the boundary with No. 74 Gales Drive, due to an angled boundary line. Internally the extension would provide kitchen and dining areas, a utility room and WC at ground floor, with an additional bedroom and ensuite at first floor.
- 2.3 In terms of amendments to the previously approved scheme, the current proposal seeks to extend the single-storey section on the south-eastern corner of the building outwards to meet the previously approved central projection (depth 5.5m). The depth of the side extension would be reduced by pulling it southwards away from the existing chimney. The maximum rear projection of the proposed extension would be 5.5m deep x 11.5m, as per the extant approved scheme.
- 2.4 No other changes to the previously approved scheme are proposed. Members should note that the previous planning permission remains extant and that the applicant would retain the option to construct that scheme, regardless of the decision taken on this current application.

## **PLANNING HISTORY:-**

- 3.1 The only previous relevant application is:

**CR/2023/0220/FUL** – Construction of a part two storey / part single storey rear and side extension – approved 15/11/23.

## **PLANNING POLICY:-**

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

### National Planning Policy Framework (September 2023)

- Section 2 (Presumption in favour of sustainable development). Paragraph 11 states at the heart of the framework is a presumption in favour of sustainable development.
- Section 12 (Achieving well-designed places) Paragraph 126 states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Development that is not well designed should be refused.

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

- Policy SD1 (Presumption in Favour of Sustainable Development): In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when

# Agenda Item 7

considering development proposals the council will take a positive approach to approving development which is sustainable.

- Policy CH2 (Principles of Good Urban Design): New development proposals will be required to respond to and reinforce locally distinctive patterns of development and landscape character, consider flexible development forms that can respond to changing social, technological and economic conditions and provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs.
- Policy CH3 (Normal Requirements of All New Development): states all proposals for development in Crawley will be of a high quality in terms of urban and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, layout, details and materials. Development must provide and retain a good standard of amenity for all nearby and future occupants of land and buildings, and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- Policy ENV6 (Sustainable Design and Construction): All development, including the alteration and extension of existing buildings, should consider how it may achieve the sustainability objectives in relation to carbon.
- Policy IN4 (Car and Cycle Parking Standards): requires proposals to provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the Borough Council's car and cycling standards. These standards are contained within the Urban Design SPD.

## Emerging Crawley Borough Local Plan 2023-2040

Following the close of the Local Plan Examination Hearings, receipt of the Inspectors' Post-Hearing letter (dated 31 January 2024) and the publication of the Main Modifications for formal public consultation, the emerging Crawley Borough Local Plan 2023-2040 has reached a very advanced stage. Due to this advanced stage, the up-to-date evidence supporting the emerging Local Plan and the clear indications provided in the Inspectors' Post-Hearing letter, the policies in the emerging Local Plan should be given substantial weight. This should only differ where there is a Main Modification proposed to the policy element being applied. The following policies are relevant:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CL1: Neighbourhood Principle
- Policy CL2: Making Successful Places – Principles of Good Urban Design
- Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy SDC1: Sustainable Design and Construction
- Policy ST2: Car and Cycle Parking Standards

## Urban Design Supplementary Planning Document

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

### Extensions

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

### Materials, Finishes and Detailing

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

# Agenda Item 7

## Rear Extensions

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

## Avoiding Overshadowing and Dominance

- *'Overshadowing or dominating neighbours' houses and gardens can be avoided by keeping rear extensions relatively small as compared to the size of the main buildings and the gardens in which they stand'.*
- *'One or two storey rear extensions will need to maintain a minimum distance of 21 metres between the rear windows of an opposing dwelling and the rear facing windows of the extension, in order to avoid any potential overlooking and privacy issues'.*

## Maintaining Garden Depth

- *'A rear extension should not consume the entirety of a dwelling's private amenity space. A garden should be retained with a minimum depth of 10.5 metres measured from the extensions rear external wall to the property's rear boundary in length, in order to ensure adequate private outdoor space'.*

## Light Angles

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

## Roofs

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

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

## **PLANNING CONSIDERATIONS:-**

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

- Scale, design and visual amenity
- Residential amenity
- Highways and parking
- Water neutrality.

### Scale, design and visual amenity

5.2 The site is located on the south side of Gales Drive, immediately adjacent to Three Bridges Primary School. The house is set back from the highway kerb by approximately 16 metres. The staggered building line means that No. 76 is set back five metres from the terraced No. 74 to the west. No.76 is a two-storey detached house of a characteristically simple design with buff yellow bricks and a pantile roof over. It has two chimneys, white UPVC fenestration, and a simple flat roofed canopy over the front door. The two-storey terrace to the east is constructed with an orange/brown brick.

5.3 The NPPF and both adopted and emerging Local Plan policies seek sympathetic, high-quality designs relating well to their surroundings in terms of scale, height, massing, layout, details, and materials. The Urban Design SPD requires extensions to relate appropriately to the house's character and style, dimensions, materials and finishes, and the character of the street scene. Brick detailing and fenestration should also contribute to the appearance of a house and any development should reflect the existing house by ensuring that new window apertures are of a matching size and situated in line with existing ones. Furthermore, rear extensions should be kept relatively small as compared to the size of the main building and the gardens in which they stand to avoid overshadowing and a dominating appearance. The originally approved extension would have variations in height and

# Agenda Item 7

projection from the existing house, and would be a substantial and fairly bulky addition in terms of massing. That scheme, due to these varied heights and projections, represented a somewhat unsympathetic addition to the house. However, it was considered (by both officers and Members) that the very limited visibility and visual impact of that extension (due to its screening by the existing house, siting back from the highway and being bordered by the school grounds) mitigated any visual harm this would cause.

- 5.4 The current scheme, while enlarging the extension to the rear slightly, reduces the size of the previously approved side extension. It roughly retains the cumulative overall massing of the original scheme, but over a different footprint. Whilst still awkwardly designed, the proposed amendments would simplify the arrangement of the extension in terms of rationalising roof forms and levelling off the rear ground floor elevation by incorporating the small projecting WC element within the wider structure. This results in a slightly simpler roof form wrapping around the building at ground floor level rather than a combination of differing roof slopes and projections, and would therefore present a slightly cleaner, less contrived form of development than previously approved. The side element of the extension would also be pulled away from the existing chimney, better retaining the character and appearance of that feature. It is considered that this proposal would represent a betterment over the original approved scheme in terms of design and impact upon visual amenity.

## Residential amenity

- 5.5 Policy CH3 (Normal Requirements of All New Development) of the Local Plan states that all proposals for development will be required to provide and retain a good standard of amenity for all nearby and future occupants of the land and buildings. The adopted Urban Design SPD requires two storey developments to be kept relatively small, compared to the main house and the gardens in which they stand, to avoid overshadowing and a dominating appearance.
- 5.6 The neighbouring property most affected by the proposed development would be 74 Gales Drive, which lies to the west of the application site. The proposed rear extension would be positioned approximately 1.3 metres away from the shared boundary with No.74 at its closest point. At ground floor level, it would project four metres beyond the existing house at No. 76, which itself is set back five metres from No. 74. The proposed toilet and utility room would extend out a further 1.5 metres, but would be approximately 6.5 metres from the boundary. At first floor level, the extension would be a further 3.5 metres away from the side boundary with No. 74. The two storey element would have a hipped roof over and, as with the main single storey part, would project out by four metres. The occupants and owner of No. 74 objected to the previous application, but have not commented on the current one.
- 5.7 The nearest door and window at ground floor level of No. 74 serve a garage. There are central French doors serving a dining area and, to the west, a window serving the living room. Although the house at No. 76 is set back from No. 74 by five metres, its side gable has little impact upon the outlook from the ground floor habitable room windows of No. 74. It does, however, dominate views east from outside the house in the rear garden and causes some loss of light early in the morning. The proposed extension would project further beyond the rear wall of No. 76 and would be visible over the boundary fence from the rear windows and rear garden of No. 74.
- 5.8 The Urban Design SPD states that a single storey extension should not encroach into the area measured at 45 degrees from the nearest window and that a two-storey extension should not encroach into the area measured at 60 degrees. The existing house at No. 76 would probably cut a 45 degree from the nearest habitable room window at No. 74 and would certainly cut the 60 degree line. The single storey extension proposed would significantly exceed the 45 degree line. However, the single storey element would be approximately eight metres away from the window at its closest point. The test is designed to address overshadowing and overbearing impact. Officers do not consider that, at eight metres away, the single storey element would cause those impact upon habitable rooms at No. 74. The two storey element would be further away. Applying the 60 degree line test to that part would create minimal additional impact, since the house at No. 76 already cuts into that line. The two storey element would impact on angled views from the rear windows of No. 74 to the south-east. The impact on general outlook would be fairly limited though, due to the angle of view and the existing visibility of school buildings in that direction.

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- 5.9 In terms of the previously approved scheme, the additional utility room element to the rear proposed in the current application would be located on the opposite side of the proposed extension to No. 74. It would not raise any new or additional amenity issue compared to the approved scheme.
- 5.10 The most significant impact upon No. 74 would probably be upon its rear garden. The extension would be clearly visible from parts of the rear garden and, due to its height, bulk, massing and awkward design, it would have some adverse impact. Early in the morning, the extension could cause limited overshadowing to the southern part of the garden. Its main impact though would be visual. The changes to the previously approved scheme are not considered to raise new amenity issues in relation to No. 74.
- 5.11 To the east and south of the site is Three Bridges Primary School. Houses in Ridgeside lie to the south. The houses in Ridgeside are a minimum of 28 metres away. This distance exceeds the required 21 metre distance to avoid overlooking. There is also tree screening between the rear of No. 76 and the nearest house in Ridgeside. Consequently, it is not considered that any adverse impact upon houses in Ridgeside would result. The extension would be clearly visible from the school site, particularly the parking area and vehicular access to the west side. However, it would not have any impact upon the operation of the school or cause any significant overbearing, overshadowing or privacy concerns.
- 5.12 The amended extension would further reduce the garden area to the rear of No. 76, which Planning Committee members previously expressed some concern about. The reduction from the previously approved scheme would be fairly marginal though and the overall garden area would remain usable, despite its length not meeting the Council's required standard. The minor additional loss of rear garden area compared to the approved scheme is therefore not considered to be sufficient justification to refuse this application.

## Highways and parking

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

## Water neutrality

- 5.14 The Local Planning Authority received a Position Statement from Natural England on 14 September 2021. It raised significant concerns about the impact of water abstraction in the Sussex North Water Resource Zone upon the Arun Valley's protected SAC, SPA and Ramsar sites. A screening assessment has now been undertaken, which concludes that the evidence shows that house extensions (excluding annexes and swimming pools) do not increase water usage and are therefore water neutral. The Local Planning Authority has therefore concluded that the proposed extension would not adversely affect the integrity of the protected sites and would not conflict with the obligations under the Conservation of Habitats and Species Regulations 2017.

## **CONCLUSIONS:-**

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

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## **RECOMMENDATION RE: CR/2024/0057/FUL:-**

PERMIT subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and finishes of the external walls and roofs of the part single storey/part two storey extension hereby permitted shall match in colour, texture and bonding those of the existing house and the extension shall have windows with white frames and white eaves and fascias.  
REASON: In the interests of visual amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and Policy DD1 of the Draft Crawley Borough Local Plan 2023-2040.
4. No windows shall be constructed in the first floor side elevation of the extension hereby permitted which adjoins the side boundary with No. 74 Gales Drive without the prior permission of the Local Planning Authority on an application in that behalf.  
REASON: To protect the amenities and privacy of the adjoining house and garden in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and Polciy DD1 of the Draft Crawley Borough Local Plan 2023-2040.

### NPPF Statement

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

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



ArcGIS Web Map



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