

**REFERENCE NO: CR/2018/0079/FUL**

**LOCATION:** [CAR PARK, THE BROADWAY AND ST JOHNS HALL, HIGH STREET, \(SOUTH OF CROSS KEYS\), NORTHGATE, CRAWLEY](#)  
**WARD:** Northgate  
**PROPOSAL:** DEMOLITION OF THE EXISTING CHURCH HALL FOR THE CONSTRUCTION OF GROUND FLOOR RETAIL/COMMUNITY SPACE/APARTMENTS WITH APARTMENTS ABOVE (TOTAL 34 DWELLINGS)

**TARGET DECISION DATE:** 24 August 2018

**CASE OFFICER:** Mrs J. McPherson

**APPLICANTS NAME:** Meadmere Investments LLP

**AGENTS NAME:** RDjW Architects Limited

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**PLANS & DRAWINGS CONSIDERED:**

4698-009, Site Location & Block Plans  
4698-010, Proposed Site Plan  
4698-011, Proposed Ground Floor Plan  
4698-012, Proposed First Floor Plan  
4698-013, Proposed Second Floor Plan  
4698-014, Proposed Third Floor Plan  
4698-015, Proposed Roof Plan  
4698-020, CGI View  
4698-021, CGI View  
4698-022, CGI View  
4698-024, CGI View  
4698-030, Sections  
4698-033, CGI View  
4698-034, Isometric of Site  
4698-035, Views from High Street  
4698-036, Isometric of Site  
4698-031, Proposed Elevations  
4698-038, Routes and Views  
4698-039, Sunpath as Existing  
4698-040, Sunpath as Proposed

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

- |    |                         |   |
|----|-------------------------|---|
| 1. | Gatwick Airport Limited | No objection - subject to conditions and informatives.  |
| 2. | WSCC Highways           | No objection - on grounds of highway impact however amendments requested to cycle parking provision. Detailed comments from Travel Plan Officer with further amendments recommended for the applicant to incorporate in their document. |
| 3. | Historic England        | No objection in principle to redevelopment of the site  |

but the submission as designed is accompanied by an inadequate heritage statement. The development fails to properly identify opportunities for enhancement of the Grade II\* church and is at odds with the prevailing grain of development and is of a height which is too big in relation to the grain and character of the immediate context. The development does not meet requirements of the NPPF. Design amendments and safeguards are therefore required to address this advice.

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|-----|---|---|
| 4.  | National Air Traffic Services               | No objection.   |
| 5.  | Thames Water                                | No objection.   |
| 6.  | Building Control Officer                    | No comments received  |
| 7.  | Sussex Police                               | Detailed design advice on security measures provided.   |
| 8.  | CBC Drainage                                | No objection.   |
| 9.  | Russell Allison                             | Viability advice provided   |
| 10. | CBC Arboricultural Officer                  | Objection - Concerns about future pressure on remaining trees.  |
| 11. | UK Power Networks                           | No comments received  |
| 12. | Ecology Officer                             | Objection - Inadequate preliminary bat survey provided.   |
| 13. | CBC Contaminated Land Officer               | No objection.   |
| 14. | Environmental Health Officer                | Objection - Concerns about noise from church clock and bells. A noise report should be provided in order to assess impact on future residents.  |
| 15. | Crawley Cycle Forum                         | Notes potential shortfall in required parking spaces. Cycle store area is an awkward shape and recommends applicant look at design guidance. Cycle parking for retail unit does not meet the SPD requirement. Questions discrepancies in D and A statement about a church hall and if the retail use is also a drop in centre which would increase the cycle parking requirement. Consideration should be given to opening the Church Walk route up to be more attractive to pedestrians. Cycle links shown in transport statement lack detail – further advice given.  |
| 16. | CBC Refuse and recycling                    | Objection - Bin arrangements shown are not acceptable – advice provided.  |
| 17. | Southern Water Limited                      | No objection subject to informative.  |
| 18. | CBC Sustainability –                        | Objection - The energy strategy is generic and vague and the Figures suggest the building would not be energy efficient. Furthermore it is not considered that the development complies with policy ENV7.   |
| 19. | Listed Building Advisor                     | Objection - the proposal will harm the setting of St Johns Church which is a grade II* listed building. The proposal will not accord with national and local policy that requires development to preserve or enhance the significance of a designated heritage asset.   |
| 20. | Archaeological Advisor                      | No objection - Following consideration of the Archaeological Desk Based assessment provided no objection subject to a pre-commencement condition.   |
| 21. | WSCC Surface Water Drainage Officer         | No objection Identifies site as at moderate risk of surface water flooding and provides recommendation on SUDs system and management.   |
| 22. | Central Crawley Conservation Area Committee | Objection<br><i>“The Committee has two areas of concern, scale, the size of the proposed development in relation to the Grade II* listed St John's church and the effect of the development on the setting of the church. On the matter of scale, the development is too big in relation to the Knave and Chancel of the church. The height of the development also affects the setting of the church in that it appears to intrude on the setting from several viewing points. Lastly, two comments, the loss of 40 or so parking spaces in the town centre is to be regretted and, on the assumption that the community</i> |

*space shown on the plans is a replacement for the church hall it would not seem ideal that it is located on the second and third floors.”*

23. CBC – Economic Development
- Support mixed use development in principle. Question reference to the church hall . Would like assurances that this community space is genuinely surplus to requirements and that the retail space would be of greater community benefit for the church. Welcomes references to street trading and active frontages and provides comments on wayfinding and Development Partnership.

### **NEIGHBOUR NOTIFICATIONS:-**

The application was publicised by press notice and site notices.

### **RESPONSES RECEIVED:-**

4 responses received raising the following comments:

- Supports principle of scheme to create a building that will not distract from the church, enhances the area in terms of safety and crime, provides a better connections between the High Street and Boulevard, creates accessible community space in the town centre and increases homes for first time buyers;
- Questions if the hall is ‘surplus to requirements’ and suggests further evidence is provided to demonstrate this argument.
- No account of parking for residents. Development apartment sizes maximise numbers and not quality.
- Question the argument that retail / community use will profit the church.
- Size of the development would adversely affect the character of the conservation area.
- Church’s environment and setting is fundamental to its use for public worship, Community events and education - proposed building will harm attractiveness of the building and effectiveness of the church;
- Building is out of keeping with its surroundings including the church within the Conservation area, it is too imposing in footprint and height and would impact on the visual appearance of The Broadway
- No objection to re-provision of community space or further retail.
- No provision for affordable housing or parking for residents.
- The site is not in need of redevelopment - currently serves a useful purpose as a car park and community space.
- Church hall flat occupier objects to the scheme as loss of flat would make them homeless. They comment that they were not notified directly by the applicants of the proposal.

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

The application is major development

### **THE APPLICATION SITE:-**

- 1.1 The application site (approximately 0.14 hectares) comprises of two distinct land parcels these are the St John the Baptist Church Hall and its curtilage and the adjoining NCP Car park to its east.
- 1.2 The church hall is situated on the western part of the site and is wholly within the High Street Conservation Area (HSCA). The church hall building is two storey in scale, brick built with white fenestration and a pitched interlocking tile roof. The main entrance to the building faces east towards the car park. The building is located fairly centrally within its plot with a paved forecourt area along its eastern boundary. The rear (western) part of the plot is secured by a 2m high boundary fence and within the secured rear garden area there is a large blue shipping container (used for storage) and number of trees and shrubs. At the time of the site visit the fence boundary between the application site and the hostel appeared to be incorrectly surveyed. There is one mature Beech tree to the west of the building which is protected by a Tree Preservation Order (reference P16.6.55) confirmed in October 2012. The church hall occupies all of the ground floor

and approximately half of the first floor within the building. There is a residential flat at first floor in the southern part of the building with its principle windows facing to the south and east.

- 1.3 The NCP car park is located to the east of the church hall and lies adjacent to but outside of the HSCA. This land is predominantly covered by hardstanding with the exception of a landscaped flower bed / tree belt which runs along the southern edge of the car park, the trees within this landscaping are protected by a provisional Tree Preservation Order 03/2019 - Cross Keys Car Park. The landscaping provides a firm boundary between the car park and the footpath to Church Walk which runs parallel to the carpark along the southern boundary. The car park is relatively level and has one operational exit/ entrance onto Cross Keys in the north east boundary. The site is marked out by low level bollards and has a pay and display ticket machine and camera located centrally in the site. There is also a lot of (unauthorised) signage in situ related to the car park operation.
- 1.4 To the south of the site is Church Walk (an adopted Public Right of Way ) and the church and grounds of St John the Baptist Church (a grade II\* listed building). Church Walk marks the southern boundary of the Conservation Area which then turns north in front of the church hall before stepping away to the north and extending along the western side of Cross Keys (to the rear of the buildings facing onto the High Street).
- 1.5 To the west of the Church Hall is the former Rectory and its landscaped grounds, this two storey building is now in use as a hostel. To the north of the site is Cross Keys Road (that is double yellow lined along both sides) and the side boundary of number 50-52 The Broadway (the first of a row of retail units with 2 floors of offices above) which extend as a retail frontage north along the street. To the east is The Broadway beyond which are the retail units of numbers 31-35 the Broadway and the corner premises of Taj the Grocer (12 Haslett Avenue West).
- 1.6 The site is identified as an archaeologically sensitive area and is within the Town Centre Boundary and Primary Shopping Area. The retail frontages to north and east on The Broadway are defined secondary shopping frontages
- 1.7 Overall, the application site is open in character when viewed from the south, north and east allowing open views of St John the Baptist Church which is the landmark building in the immediate area. The site forms an important eastern approach to the HSCA of Crawley old village with its smaller scale predominantly 2 storey buildings. The area is an important transition between the historic High Street buildings to the south and west and 'new town' to the north and east with its more formalised regimented street pattern with distinct street frontages and generally 3 storey scale of development.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 Planning permission is sought for the demolition of the existing church hall building and the redevelopment of this land with the NCP car park to the east. The proposed new building would have a rectangular footprint covering most of the site which would comprise retail / community space and 7 flats at ground floor level with further residential above. The southern and northern sides of the building would run parallel to Church Walk and Cross Keys, the building would be orientated at an angle to The Broadway to the east and to the Rectory to the west. The building would have a stepped form and would be part 2 storey in scale at its eastern end stepping up to 4 storeys towards the west.
- 2.2 At ground floor level there would be retail/ community space located at the eastern end of the building fronting The Broadway, bin and cycle store provision is also proposed at ground floor along with 7 flats. A further 27 flats would be arranged over 3 upper floors, the building footprint stepping back scale from the eastern boundary. PV panels are proposed for the top part of the roof.
- 2.3 The residential accommodation proposed is 28 x 1 bedroom flats and 6 x 2 bedroom flats. No parking is proposed for the development. The bin stores are proposed to be located on the northern elevation of the building. The site is proposed to be serviced from Cross Keys road to the north. A communal cycle store (for the upper flats) is located with access via a door on the southern

elevation with the ground floor flats shown as having individual cycle stores. Additional cycle parking is shown to the front of the retail/ community space.

- 2.4 The building is modern design proposed to be finished in white render, stone and composite timber cladding. The windows would be metal and the retail unit at ground floor is proposed to be floor to ceiling glazing. The window pattern being a mixture of sizes and designs to articulate the scale of the building. Extensive glazing is proposed for the stair cores and as a feature for some of the balconies. All upper floor flats are proposed to have a balcony or roof terrace. The building has a flat roof on which solar panels are proposed to be installed, the lower sections of flat roof would be utilised and roof terraces for some the flats. The space around the building would predominantly be paved.
- 2.5 The application accompanied by the following documents:
- Design and Access Statement Issue E (received 17/8/18)
  - Archaeological Desk Based Assessment V2 (September 2018)
  - Arboricultural Report (as amended) (received 17/8/18)
  - Preliminary Bat Roost Assessment (received 20/12/18)
  - Heritage Statement V1 (August 2017)
  - Transport Statement (April 2018)
  - Travel Plan Framework (April 2018)
  - Drainage Strategy Report (April 2018)
  - Flood Risk Assessment (April 2018)
  - Energy and Sustainability Statement (April 2018)
  - Utility Constraints Study ( April 2018)
  - Financial Viability Report (May 2018) - Exempt information

### **PLANNING HISTORY:-**

- 3.1 The relevant planning history is summarised below:

#### Church Hall Site

- CR/298/1958 - Erection of a new church hall on site of adjoining Rectory Garden - Permit
- CR/2012/0400/TPO - Beech - Reduce Crown of tree by 1.5m (leaving a height of 10m and spread of approx. 7m, raise crown to 3m above ground level) - Consent.
- CR/2004/0122/FUL - Retrospective application for a new wheelchair ramp - Permit

#### NCP Car Park Site

- CR/2018/0835/ADV - Advertisement Consent for 12 non-illuminated post mounted signs - Refused.
- CR/2018/0834/FUL - Retrospective application for 1 pole mounted ANPR camera - Permit

#### Adjoining Site (former Rectory)

- CR/1996/0606/RG3 - Change of use from domestic dwelling to premises in multiple occupation - Permitted

### **PLANNING POLICY:-**

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

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

## The National Planning Policy Framework (2018):

- 4.1 The revised National Planning Policy Framework (NPPF) was published in July 2018 and has been updated again in February 2019. At the heart of the framework the presumption in favour of sustainable development. Paragraph 8 states that achieving sustainable development means the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are:
- a) an economic objective – “to help build a strong, responsive and competitive economy...”
  - b) a social objective – “to support strong, vibrant and healthy communities....”
  - c) an environmental objective- “to contribute to protecting and our enhancing our natural, built and historic environment...”
- 4.2 **Section 5** emphasises the need for the planning system to deliver a sufficient supply of homes including affordable housing.  
**Section 7** seeks to ensure the vitality of town centres, encouraging a positive approach to their growth, management and adaption including the encouragement of residential uses on appropriate sites.  
**Section 8** seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction and are safe and accessible.  
**Section 9** set out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations.  
**Section 11** - ‘Making effective use of land’ states in para 117 that “*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*”. The redevelopment of underutilised land and building is encouraged, and LPA’s should take a positive approach to alternative uses of currently developed land which is not allocated for a specific purpose to meet identified development needs. Para 122 encourages the efficient use of land providing the desirability of maintaining an areas prevailing character and setting is taken into account and highlights the importance of securing well-designed healthy places.
- 4.3 **Section 12** - ‘Well designed places’ states that good design is a key aspect of sustainable development and that the planning process should achieve the creation of high quality buildings and places. Para 127 states:  
*Planning policies and decisions should ensure that developments:*
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
  - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
  - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
  - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
  - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
  - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*
- Para 128 highlights the need for design quality to be considered through the evolution and assessment of proposals and para 130 states that permission should be refused for poor design that fails to take the opportunities available for improving the character and quality of an area, the way it functions and the relevant supplementary planning documents.
- 4.4 **Section 15** ‘Conserving and enhancing the natural environment’ - includes advice on ground conditions and pollution (including noise impacts) and seeks to ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of

pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Para 182 seeks to ensure new development can be integrated effectively with existing business and community facilities (such as places of worship and that existing business should not have unreasonable restrictions placed upon them as a result of development permitted. *“Where the operation of an existing business or community facility could have a significant adverse effect on the development...in its vicinity, the applicant (or agent of change) should be required to provide suitable mitigation before the development is completed”*.

- 4.5 **Section 16** – ‘Conserving and enhancing the historic environment’ provides guidance on development proposals that impact on heritage assets. Para 184 states: ‘ *These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life for future generations*’. Where heritage assets are affected applications should describe the significance of the heritage assets and any contribution made to their setting. Further guidance is provided on how applicants and LPA should assess such assets and consider impacts in paragraphs 189 - 202.

#### Crawley Borough Local Plan 2015-2030

- 4.6 Policy SD1 (Presumption in Favour of Sustainable Development) is the overarching policy for this plan. Development will be supported when it complements Crawley’s character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the opportunities for sustainable travel. Development will be supported where it respects the heritage of the borough and protects, enhances and creates opportunities for Crawley’s unique Green Infrastructure and accords with the policies and objectives set out in this plan unless material considerations indicate otherwise.
- 4.7 Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- 4.8 Policy CH2 (Principles of Good Urban Design) The policy seeks to assist in the creation, retention or enhancement of successful places in Crawley. In particular development proposals will be required to:
- (a) *to protect and/or enhance heritage assets,*
  - (b) *create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas,*
  - (c) *create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society including disabled and elderly people,*
  - (d) *make places that connect with each other and are easy to move through,*
  - (e) *provide recognisable routes, intersections and landmarks to help people find their way around,*
  - (f) *consider flexible development forms that can respond to changing social, technological and economic conditions,*
  - (g) *provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs”*.
- 4.9 Policy CH3 (Normal Requirements of All New Development) All proposals should be based on a thorough understanding of the significance and distinctiveness of the site, be of a high quality in terms of its design, sympathetic to its surroundings, provide a good standard of amenity for future occupants, retain trees which contribute positively to the area, meet its own operational requirements and demonstrate that it addresses the principles included within both ‘Secure by Design’ and ‘Building for Life’ criteria.
- 4.10 Policy CH4 (Comprehensive Development and Efficient Use of Land) seeks to ensure development uses land efficiently and does not unduly restrict the development potential of adjoining land.
- 4.11 Policy CH5 (Standards for All New Dwellings) sets out the standards for all new dwellings and states that the minimum size for each dwelling should be based on the Nationally Described Space standards and be capable of adaption though meeting Building Regulations Part M Category 2.

Residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements.

- 4.12 Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site however, where the Local Planning Authority agrees this is not feasible or desirable commuted sums will be sought in lieu on a per tree basis.
- 4.13 Policy CH8 (Important views) identifies important views which should be protected. The site is within the splay of the linear views north along Brighton Road from A23/A264 junction and the long distance view from Tilgate Park. The policy also states in the accompanying text the importance of more localised views and landmarks including views of the Church of St. John the Baptist and the requirements to protect their settings.
- 4.14 Policy CH11 (Rights of Way and Access to the Countryside) seeks to protect the character and use of public rights of way.
- 4.15 Policy CH12 (Heritage Assets) states that all heritage assets are a finite resource and all development should ensure their key features or significance are not lost as a result of development. Development proposals affecting a heritage asset should describe the significance of any development assets affected and the contribution made by their setting, the impact of the development and any measures to ensure the asset is respected, preserved or enhanced.
- 4.16 The HSCA extends along the southern boundary of the site and church hall is within the Conservation Area. Policy CH13 (Conservation Areas) states that *“all development with a Conservation Area should individually or cumulatively result in the preservation or enhancement of the character and appearance of the area”*. This should be demonstrated through a Heritage Impact Assessment. Consideration must be given to the areas identifiable and distinctive character, any historic landscape features, maintenance and enhancement of areas of landscape value (trees/hedges etc) and preservation of areas architectural quality and scale.
- 4.17 The site is adjacent to St Johns Church a Grade II\* listed building, policy CH15 (Listed Buildings and Structures) deals not only with works to the building but also any development that may affect its setting and requires that any impacts are addressed through a Heritage Impact Assessment.
- 4.18 Policy EC1 (Sustainable Economic Growth) states that Crawley’s role as the key economic driver for the Gatwick Diamond will be protected and enhanced. Existing Main Employment Areas will be a focus for sustainable economic growth.
- 4.19 The site is within the Town Centre Boundary is identified as a main employment area where under policy EC2 (Economic Growth in the Main Employment Areas) there is a general presumption in favour of employment generating development. The site is within the Primary Shopping Area which is addressed specifically under policy EC5 (Primary Shopping Area) which encourages development that promotes Crawley’s vitality and viability as a sub-regional retail centre. The Broadway is a secondary shopping frontage where ground floor A1 (retail), A2 (financial and professional services), A3 (restaurant), A4 (pub) and A5 (take-away) uses are normally permitted. Efficient use of upper floors is also encouraged.
- 4.20 Policy EC4 (Employment Development and Residential Amenity) requires that where residential development is proposed within or adjacent to the Main Employment Areas, the principle concern will be to ensure that the economic function of the area is not constrained.
- 4.21 Policy EC6 (Development Sites within the Town Centre Boundary) acknowledges that sites within the Town Centre boundary provide an important opportunity to promote town centre viability and viability through mixed use schemes to meet the economic and housing needs of the borough



- 4.22 Policy H1 (Housing Provision) states that Council will positively consider proposals for the provision of housing to meet local need Housing policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address local housing needs and market demand. Policy H4 (Affordable and Low Cost Housing) requires 40% affordable housing from all residential developments. In addition 10% low cost housing is required on developments for 15 or more dwellings. These targets will apply unless evidence can be provided to show that the site cannot support those requirements from a viability perspective and that the development clearly meets a demonstrable need.
- 4.23 Policy ENV1 (Green Infrastructure) advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through various measures including protection, enhancement and integration with new development, mitigating harm and maintaining and extending links where possible, including through larger proposals.
- 4.24 Policy ENV2 (Biodiversity) states that development proposals will be expected to incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features of nature conservation value within and around the development
- 4.25 Policy ENV5 requires development to make provision for open space and recreational facilities and confirms that the Community Infrastructure Levy will be used to enhance open space to mitigate the impact of increased population.
- 4.26 Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.
- 4.27 Policy ENV7 (District Energy Networks) requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- 4.28 Policy ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- 4.29 Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- 4.30 Policy ENV11 (Development and Noise) requires applications to be accompanied by a noise impact assessment where there is likely to be exposure to significant or unacceptable noise exposure.
- 4.31 Policy IN1 (Infrastructure Provision) seeks to ensure development will only be permitted where it is supported by the necessary infrastructure on site or through off site mitigation and advises that CIL will be sought through the relevant processes. *"Existing infrastructure services and facilities will be protected where they contribute to the neighbourhood or town overall, unless an equivalent replacement or improvement to services is provided or there is sufficient alternative provision in the area"*.
- 4.32 Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure while Policy IN3 (Development and Requirements for Sustainable Transport) Advises that development should be concentrated in locations where sustainable travel patterns can be achieved.
- 4.33 Policy IN4 (Car and Cycle Parking Standards) sets out that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs assessed

against the Council's car and cycle parking standards. For residential development standards are based on the accessibility of the area, the levels of car ownership and size of any new dwellings.

Other Material Considerations:

**Town Centre SPD – October 2016 (TCSPD)**

- 4.34 This document provides guidance and advice that builds on the LP policies relating to the town centre. While not explicitly identified as a town centre development site under policy EC6, the document does identify the NCP car park as a potential opportunity area with potential to include land in Church Walk and Cross Keys to the north.  
The SPD describes the vision of the area as *“The establishment of a vibrant part of the town centre through the activation of unused areas, increased permeability and strengthening of perimeter sites. A key component of any development of this area will be the creation of a sense of intrigue and interest”*.
- 4.35 The general key planning principles include:
- *Fully integrate the area into the town centre with a complementary mix of uses including small-scale retail provision.*
  - *Create interest through new and regenerated public spaces and inter-linking footpaths with active frontages.*
  - *Enhance the views and setting of the listed Church of St John and adjoining High Street Conservation Area.*
  - *Create an improved public realm with equal consideration to all users.*
  - *Initiate public realm improvements (lighting, signage, paving, planting, etc.)*
  - *Encourage night time uses.*
- 4.36 The document also provides some key guidelines for different sub-areas within the opportunity area suggesting the car park site might be suitable for redevelopment with active ground floor uses, intimate informal public space provided between any development and the church hall, an gives an indication of scale and massing suggesting it should amongst other things be limited to the eave line of the buildings in Broadway, suggests the provision of smaller plots and frontages and the need for the design to respond to rights of way and existing roads.

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

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

**Planning and Climate Change (adopted October 2016). (PCCSPD)**

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

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

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

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

- 4.41 This document provides guidance on the requirements of policies H3 and H4 in the Crawley Borough Local Plan and in particular when affordable housing would be sought from residential development. This application is supported by a viability assessment which has been through independent scrutiny and will be discussed later in the report.

### **High Street Conservation Area Statement (1998) (HSCAS)**

- 4.42 This document sets out the important buildings and features within the Conservation Area and provides design advice for new development. St John the Baptist Church is identified as a key heritage asset within the CA. The design advice for new development includes:
- *“Views and Vistas - Proposals for new development should not restrict views north or south of the High Street or east and west from St Johns Church, Ifield Road, Broad Walk and Church Walk....Proposals for new development should be designed so that they create new views or secure and enhance existing views.”*
  - *“Scale and Proportion - Proposals for new development should not normally be more than 3 storey’s in height.....New development should not dominate the skyline of adjacent properties.”*

### **Crawley Community Infrastructure Levy Charging Schedule 2016**

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

### **PLANNING CONSIDERATIONS:-**

- 5.1 The key planning considerations in relation to this case are discussed under the headings listed below:
- Principle of the development;
  - Impact on the setting of St John the Baptist Church and the High Street Conservation Area;
  - Building design and impact on the street scene;
  - Impact on trees and ecology;
  - Impact of the development on the amenities of neighbouring properties/ occupiers;
  - Adequacy of accommodation for future occupiers;
  - Noise;
  - Operational requirements (Highways ,Parking, Servicing, Cycles);
  - Sustainability;
  - Ground Conditions (Archaeology, Drainage and Contamination);
  - Affordable Housing Provision and off site infrastructure;
  - Other.

#### **Principle of development**

- 5.2 The site is currently used as a Church Hall with residential flat above and a town centre car park. The site is within the town centre boundary, main employment area and partially within the HSCA. The site is a sustainable location where development is usually supported although the site is partially within the HSCA and next to a grade II\* listed building this does not prevent policy compliant development. The key issue is whether the loss of the car park and loss of community facilities (including the residential flat) is acceptable in principle.
- 5.3 The site is a sustainable location providing surface parking spaces (34 in total). There is considered to be no overarching policy objection to the removal of this town centre car park however, the applicants evidence to justify the loss of this provision is somewhat limited. WSCC have commented that while the applicant has provided evidence of the total number of alternative car parking spaces within the centre of Crawley, there is no indication as to the potential spare capacity of these car parks (which would help justify the loss of Cross Keys car park).

- 5.4 Policy IN1 requires protection of community facilities where they contribute to the neighbourhood or town overall, unless equivalent replacement or improvement services are provided or there is sufficient alternative provision in the area. This proposal would involve the loss of the church hall and provision of a community space/retail area amounting to some 256 sq m of floorspace. There is little information provided about the existing church hall, its floorspace and how this current facility meets the needs of the church and the wider community. There is no information on how the new floorspace would be laid out or operated and how this would be an equivalent or improvement to the services currently provided. Further information was requested by the applicants to address these concerns however, no adequate justification was provided. It is therefore considered that the proposal is contrary to policy IN1.
- 5.5 The loss of the existing single residential flat is considered justified given the proposal would provide additional dwellings which would address Crawley's housing need.

#### Impact on setting of St John the Baptist Church and the High Street Conservation Area

- 5.6 St John the Baptist Church is situated immediately to the south of the site and is a Grade II\* listed building and one of the principal buildings within the HSCA. While the applicants have provided a Heritage Statement as part of the submission this is considered inadequate as it does not analyse how the church is experienced within its setting. The setting of the heritage asset in the surroundings is a material consideration.
- 5.7 Historic England have commented on the inadequacy of the heritage analysis, in particular in relation to the setting of the church and that as a result of this, the application has failed to properly identify opportunities for enhancement. They comment that site redevelopment if well designed is an opportunity to enhance to contribution made by the setting to the significance of the church. In relation to the design itself they comment that *"Unfortunately, the current scheme fails to realise that opportunity but instead proposes a large, single development at an arbitrary angle to The Broadway which is at odds with the prevailing grain of development and results in an unsatisfactory left-over space in the street scene. The single block is surrounded by poorly resolved hard landscaped space and its' mass increases to the east and blocks views of the existing church tower thereby reducing its visual dominance. The height of the development to the east is too big in relation to the existing grain and character of its immediate context."*
- 5.8 The Council's Listed Building Advisor also objects to the application highlighting both the inadequacy of the heritage statement, the lack of any consideration of setting or the impact of the development to the setting of the church, the failure to understand the historic context or sense of place. Furthermore, no contextual analysis has been provided and it is considered that the development would intrude upon the historic vernacular and local distinctiveness of the area, the mass and scale of the building would be incongruous. She concludes that the proposal would result in harm to the significance of the designated heritage asset and that the harm is in respect of its setting.
- 5.9 The HSCA is predominantly 2 storey in scale with the church as key landmark building on its eastern approach. The tower in particular is a key reference point from many surrounding streets for example, visible on approach along Cross Keys, Church Walk and Ifield Road. Due to the size and massing of the building the views of the tower and church would be obstructed from the north and northeast and the building would be higher than the main ridge height of the church roof. Overall, the footprint and massing of the building combined with its close proximity to the church would have a harmful impact on the church, the hostel and the conservation area.
- 5.10 In addition to the comments listed above, it is considered that the overall design fails to respect the setting and key views of the church, resulting in a dominant building that obstructs views of the church and the wider HSCA area. It would dominate the street scene and skyline. The proposal is therefore in conflict with section 16 of the NPPF policies CH8, CH12, CH13 and CH15 of the Local Plan, the Urban Design SPD and the HSCAS.

#### Building Design and Impact on the Street scene

- 5.11 Notwithstanding the heritage concerns, the design of the development is also considered unacceptable. It is considered that the design of the building has not been informed by either a heritage statement or any understanding of the urban form in the context of the sites surroundings.
- 5.12 The 4 storey scale of the building dominates the church to the south and the hostel building to the west. The building is also out of scale and character with the built form along The Broadway failing to respect the street pattern and the scale and proportions of the new town architecture (which is predominantly 3 storey with a low angled pitched roof).
- 5.13 As set out in para 5.7, the building would be poorly detailed and unsympathetically articulated, with no reference to the surrounding architecture or site context and would be of a scale and proportion which is out of character with the grain of the surrounding development. The proposed palette of materials, fenestration detailing and architectural language has no reference to its surroundings and appears as an incongruous block. The site is currently an open area and important transition between the HSCA and the new town retail area. The building as designed has no relation to any surrounding buildings, it is a modern block which is considered would read as an incongruous and alien feature in the street scene and appears to be top heavy when viewed from the east and west elevations.
- 5.14 The building would occupy a large rectangular footprint and is orientated to run parallel to the Church Walk footpath and to Cross Keys. The building however is angled towards The Broadway and while not visually intruding in front of the established building line, it would appear incongruous being at an irregular angle to the main street, this is further exaggerated the stepped form and design of the building frontage which fails to address the current streetscene. The angle to the Broadway and the overall footprint of the building leave little opportunity to provide an attractive setting for the building in the wider public realm. The building appears cramped to the road and other site boundaries leaving no opportunity for soft landscaping, parking or amenity areas for future residents.
- 5.15 The siting of the building would increase the sense of enclosure for pedestrians in Church Walk and introduce a new alleyway to Cross Keys. While there would be flats overlooking these areas, the layout and design are considered to raise issues of security and public safety for pedestrians and residents. The public realm proposed does not relate well to its surroundings.
- 5.16 At ground floor level is the proposed church community hub / retail area shown on the plans as a glazed frontage with little detailing or consideration of the ground floor vernacular of The Broadway on which the unit would be sited.
- 5.17 The roof design would include a lift shaft protruding over the flat roof and the possibility of PV panels being visible above the roof would further jar with the roofscape of the surrounding area. The introduction of roof terraces would also be out of keeping in the context of the surrounding area.
- 5.18 Overall the scale, siting, footprint, design and massing of the building is considered to be poorly designed and incongruous and would be detrimental to the character of the site and surroundings. The development would therefore be contrary to policies CH2, CH3, CH8, CH12 and CH15 of the Crawley Borough Local Plan and the advice in the Urban Design SPD and the High Street Conservation Area Statement.

#### Impact on trees and ecology

- 5.19 It is proposed to remove the mature TPO beech tree to the west of the church hall and second tree along with existing shrubs from within the curtilage of the church hall to accommodate the development. The belt of trees along the southern boundary of the car park are proposed to be retained. There is not considered to be any justification provided for the removal of the beech tree which is considered to make a positive contribution to the character of the conservation area.
- 5.20 The southern tree belt is also considered an important feature in relation to the church and its graveyard and to the character of the eastern end of Church Walk. The arboricultural officer

considers that these trees, while shown to be retained would be negatively impacted by the development in the long term due to the close proximity of the building and the pressure for works to the trees from occupants whose dwellings would face onto them. Their future health and amenity would be compromised by the development and given the limited space available would be unlikely to be replaced by any meaningful landscaping if a tree was to require removal.

- 5.21 It is considered therefore that the development would have a detrimental impact on the existing trees which make a positive contribution to the character of the site and the setting of the Conservation Area / Listed Building. No on-site tree mitigation is proposed. There would be pressure for works to the southern tree belt due to the size and maturity of the trees which would be approximately 6m distant between the flower bed and the southern wall of the building. For single aspect south facing flats, this would cause excessive shading and poor living conditions for the occupiers along with pressure to carry out works to the trees. The proposal is therefore contrary to policies CH3, CH5, CH6 and CH13 of the Crawley Borough Local Plan and the advice in the UDSPD and GISPD.
- 5.22 A preliminary bat roost assessment has been provided by the applicants as there is potential for these protected species to be present in the trees and in the church hall building. The Council's Ecological Advisor has commented that the findings of the ecological survey are inadequate and that based on the information provided it cannot be determined whether the proposal is in accordance with the relevant biodiversity policies. No additional information has been provided by the applicant, the proposal may be in conflict with policy ENV2 (biodiversity).

#### Impact of the development on the amenities of neighbouring properties/ occupiers

- 5.23 The nearest residential property is Evergreens Hostel (formerly the Rectory) located to the west of the site. This two storey property has bedroom windows in its east facing elevation. The hostel kitchen and 1 bedroom has its principal (and only windows) facing east towards the proposed development, while other rooms including 2 further bedroom have secondary windows in the east elevation. The west elevation of the development would be 4 storeys in scale and measure 12.5m high to the top of the flat roof (excluding solar panels and lift overrun). The width of the western elevation would measure 20.5m and incorporates 9 balconies for flats on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors which would directly overlook the grounds and windows of the hostel. The average separation distance between the flank wall (with its bedroom windows) and the development is around 13m.
- 5.24 It is considered that the design and layout with balconies overlooking the hostel bedrooms would result in an unacceptable loss of privacy to the occupiers of the hostel. The proposal is contrary to the UDSPD which seeks to ensure that adequate window to window distances are maintained to protect privacy. The proximity of the building to the hostel combined with its scale and massing is also considered to result in a dominant and overbearing development for on the occupiers of the hostel, the building being 2 floors higher than the hostel with very limited setback from the site boundary. The impact of the building would be increased due to the loss of the existing landscaping along the western site boundary which currently provides a softened outlook and reduces the visual impact between the two existing buildings.
- 5.25 Furthermore, it is considered that the bulk, siting and massing of the building would result in unacceptable shading to the hostel in particular to occupiers with east facing bedrooms. While a daylight and sunlight plan has been provided, there is no explanation as to methodology employed to inform the modelling. The study however, does show that a building of this significant scale and bulk would cast considerable shade over these windows which currently have much more open outlook onto the church hall.
- 5.26 To the north is 50-52 The Broadway currently in retail use at ground floor with offices above on the 1<sup>st</sup> and 2<sup>nd</sup> floors. The main outlook for the retail unit is east onto The Broadway and the proposed development is considered to have no detrimental impact on these occupiers. The 1<sup>st</sup> and 2<sup>nd</sup> floor offices have their principal windows facing south onto the application site. There would be a distance of between 8 - 13m separation between the flats windows and the office windows to the north with the Cross Keys Service Road separating the two buildings. The proposed development would increase the level of shading to the office windows and the windows would be overlooked by

future residents however, it is not considered that this would be harmful to the amenities of the occupiers of these offices to warrant a refusal on this basis.

- 5.27 There is not considered to be an adverse impact on amenities for the users of the church or for the properties to the east of the site (on the eastern side of The Broadway) from the development.
- 5.28 In conclusion, it is considered that the development would have a harmful impact on the occupiers of the Evergreens Hostel due to the layout, massing, design and close proximity of the building to the hostel. The development is therefore contrary to policy CH3 and the guidance in the UDSPD.

#### Adequacy of accommodation for future occupiers

- 5.29 The residential accommodation proposed is 28 x 1 bedroom flats and 6 x 2 bedroom flats. The 2 studio flats listed on the accommodation schedule by the applicant are, due to their layout are actually 1 bedroom flats and have been considered on this basis. The floorplans for the flats show that with the exception of the 2 studio flats which are over 10 sq m below the required floorspace, the other accommodation has internal floor areas which just meet the Nationally adopted standards.
- 5.30 There are concerns with the layout and design of the flats in particular with regard to privacy and the provision of private amenity space. At ground floor level, the flats (particularly those on the north and west side) have only a small amenity area outside their front windows. In addition these flats show cycle stores outside the windows and while no details have been provided, this arrangement would appear to impede on views from these windows as well as limiting the useable amenity area. The supporting information suggests that the ground floor amenity space would be secured by metal railings, however this area would not be private amenity space and would be overlooked along with the flat windows by all passers-by. The design is therefore not considered acceptable due to the lack of defensible space, the overlooking and the lack of privacy and would make future occupants of these units feel insecure. At upper level the balconies are proposed to be glazed and this design approach is not considered to provide adequate private amenity space as occupiers are likely to add makeshift screens behind the glass to increase privacy.
- 5.31 As discussed earlier in the report, some of the flats on the southern elevation would experience considerable shading due to their close proximity to the mature tree belt currently extending along the car park. It is considered there would be pressure to reduce shading to these flats and reduce the dominance of the trees on these occupiers. The flats at ground floor level facing the trees would also be very shaded and those west facing units would have an outlook onto a footpath and a boundary fence with a separation gap of between 4 and 7 metres between the windows and the fence, it is considered that this relationship could also make occupants feel insecure. There is also a mature tree just beyond the north-west boundary of the site and other landscaping in the grounds of the hostel which would increase shading to these flats.
- 5.32 There is also concern about overlooking and loss of privacy for occupants facing north towards the offices at number 50-52 The Broadway. The separation distance between these office windows and the flats is between 8 to 13m with direct overlooking between the properties. It is considered that the occupiers of the flats would be overlooked by those in the offices and the design and layout does not give adequate privacy.
- 5.33 It is therefore considered that the proposed accommodation as designed is not adequate for future occupiers and is therefore contrary to policies CH3 and CH5 of the Crawley Borough Local Plan and the advice in the Urban Design SPD.

#### Noise

- 5.34 Policy ENV11 seeks to protect future residents from unacceptable noise impacts and requires that a noise impact assessment is provided. Policy CH3 requires development to be designed to provide a good standard of amenity for future occupants. The Environmental Health Division have been consulted on this application and have commented that while the site is unlikely to be impacted by typical noise sources in town centres such as traffic or mechanical plant, occupants would be subject to noise from the church clock and church bells. The Environmental Health Officer

requested that a noise report be provided on the impact of the church bells as the closest residents would be within 20m of the bells at a similar height to the bells in the tower. No noise report has been provided and therefore the Local Planning Authority is unable to determine if the development is acceptable or not. The development therefore has not demonstrated it complies with para 182 of the NPPF, policy ENV11 and policy CH3 of the Crawley Borough Local Plan.

#### Operational requirements (Highways, Parking, Servicing, Cycles)

- 5.35 The application site is located within the town centre boundary and is considered to be a highly accessible location close to Crawley Station and the bus station. This is considered a very sustainable location where future residents would have access to a range of alternative transport options. A reduced level of parking could therefore be justified.
- 5.36 The proposed development is car free with no parking provision made for the flats or the retail / community space. WSCC have raised no objection to the lack of parking and have commented that the development can be accommodated without a detrimental impact on the surrounding highway network. WSCC have also commented on the Travel Plan provided by the applicants and requested that further amendments be made to the document. These amendments and obligations required in a Travel Plan could be secured via a S106 Agreement.
- 5.37 There are concerns however about operational requirements of the site given its layout. The CBC refuse and recycling team have raised an objection to the refuse provision shown although this could be resolved via condition. There is no formal space within the layout for loading and unloading of vehicles either for resident's deliveries, refuse or for the shop/ community hub and therefore loading and unloading would need to be on the double yellow lines alongside Cross Keys. Whilst WSCC have not objected to this arrangement, it is considered that this lack of servicing is unacceptable given the scale of the development and that this would result in illegal parking in Cross Keys. Furthermore, it is unclear from the elevations or floorplan how the shop / community hub would be serviced as, while a bin store is shown, there is no indication of the entrances / exits or internal layout of this facility and whether storage and servicing would be adequate.
- 5.38 Cycle provision is shown to be located as individual stores for the ground floor flats (although no external elevations are provided) and a single L shaped cycle store for the upper flats. The SPD standard requires 33 spaces for the upper floor residents plus a further 4 spaces for visitors. The proposed communal cycle store is considered of insufficient size for residents (appearing to show only 27 cycle spaces) and is also an awkward shape. The communal store is not considered adequate for future residents and the individual cycle sheds for the ground floor flats are considered to be an unattractive addition to the exterior of the building in a Conservation Area and would be potentially insecure. There is no secure cycle provision for the retail / community hub use.
- 5.39 It is therefore considered that the proposed development fails to adequately address the operational needs of the future occupiers in respect to deliveries/ storage, refuse and cycle provision and is therefore contrary to policies CH3 and IN4 of the Local Plan and the guidance set out in the Urban Design SPD.

#### Sustainability

- 5.40 The site is within the Town Centre which is a priority area for the delivery of a District Energy Network (DEN) as set out in policy ENV7 of the Local Plan. The policy requires that applications for major development should demonstrate how they have considered the hierarchy of options for using district or decentralised energy as specified in the policy. It is not considered that the applicants have addressed the requirements of this policy having not considered the potential for the development to connect to a future network or considered 'an alternative approach to securing decentralised low carbon energy'. The applicants were provided with further information on how to address this objection (which was provided in June 2018). No further information has been forthcoming. It is therefore considered that based on the information provided, the development is not compliant with policy ENV7.



- 5.41 With regard to policies ENV6 relating to sustainable design and construction and policy ENV9 on tackling water stress, the sustainability statement suggests it would comply with the policies. It is noted however that there are discrepancies in the calculations and that, based on the figures in the report the energy performance for this building is poor in relation to other more recently permitted town centre developments where energy performance appears significantly better. There are also synergies between building performance and consideration of the DEN which are not adequately covered in the application. In conclusion, the level of detail to address these requirements is inadequate but it is accepted that design and water efficiency could be controlled via a suitable condition.

#### Ground Conditions (Archaeology, Drainage and Contamination)

- 5.42 The site is an archaeological notification area relating to the medieval core of Crawley. The Council's Archaeological Advisor has considered the submitted desk based assessment and concluded that field evaluation would be necessary to determine appropriate mitigation by means of a trial trench. This can be safeguarded via a planning condition.
- 5.43 The site is adjacent to church graveyard which is classed as contaminated land. To the north east is another known contaminated plot. The Council's contaminated land officer has been consulted but considers there to be a low risk of contamination and raises no objection.
- 5.44 In respect of drainage, the application was accompanied by a Flood Risk Assessment and Drainage Strategy report. Both the WSCC Flood Risk Management Officer and CBC Drainage Officer raise no objection to the proposal. Their advice would be secured via conditions and informatives.

#### Affordable Housing Provision and S106 Requirements

- 5.45 Policy H4 also seeks 40% affordable housing unless an exception can be demonstrated via a comprehensive viability assessment. In this case, the applicants have provided a viability appraisal which has been independently scrutinised by the Dixon Searle on behalf of CBC. It has been demonstrated that the scheme is not viable and cannot deliver a policy compliant scheme. Dixon Searle have concluded that a viable scheme on site can make an affordable housing contribution. The findings are with the applicants to consider if they agree to a contribution. The outcome of these discussions will be updated at the meeting.
- 5.46 A clause requiring the review of the scheme viability after 18 months is considered appropriate given the changing market conditions and it is considered appropriate for inclusion in the legal agreement. Due to the commercially sensitive nature of the viability report, should Members wish to scrutinise this conclusion in further detail, the meeting will need to move to Part B (Exempt item) where the report can be discussed in further detail.
- 5.47 Policy IN1 requires developments to make provision for their on and off-site infrastructure needs. The development is CIL liable.
- 5.48 In accordance with policy CH6 of the Local Plan and the Council's adopted Green Infrastructure SPD, a contribution towards additional tree planting is sought. Using the formula approach based upon the number of trees lost/gained and the number of new residential units, this equates to a contribution of £29,400 (number of new units (34) plus number of trees lost (and to be replaced based on stem diameter)(8) minus number of new trees (0) x £700 per tree).
- 5.49 Policy IN1 also specifically applies to open space, parks and play space and as no open space provision is made on site the impacts off-site need to be considered on a site by site basis. Based on the assessed level of occupation of the building the potential contribution towards Open Space (total £13,196) is as follows:
- £6783 - provision for childrens/ youth play for either Kilnmead Close Play area or Memorial Gardens
  - £3848 - improvements to the quality or provision of accessible amenity green space in Northgate or Southgate
  - £1565 - towards allotments at Riley Road or the West Green allotment site.

5.50 In respect of any affordable housing, travel plan and other contributions, these would need to be secured through a S106 Agreement. The LPA had not sought to engage the applicant in the preparation of a S106 agreement due to the concerns it has with other aspects of the development and therefore a refusal reason is recommended due to the absence of this document. In the event that an appeal is lodged if an appropriate S106 is entered into, this refusal reason could be addressed.

#### Other

5.51 In respect of housing mix, it is noted that the proposed accommodation mix of 28 x 1 bedroom and 6 x 2 bedroom flats is not compliant with policy H3 which seeks a mix of dwelling types and sizes based on evidence in the Strategic Housing Market Assessment. Based on the evidence in this document there should be a greater mix of larger units and 3 bedroom dwellings within this proposed development.

5.52 Policy H3 accepts that the appropriate mix of house types will depend upon the size and characteristics of the site and the viability of the scheme. The policy requires that the accommodation mix of new residential schemes should reflect the latest evidence of housing need and this information should be supplied in support of any application along with justification for any deviation from recommended housing mix. The applicants have provided no justification for the accommodation mix proposed and in the absence of this evidence, it is not considered that the proposal would meet the requirements of policy H3 and addressed Crawley's local housing need.

#### **CONCLUSIONS:-**

6.1 The site is within the town centre boundary, main employment area and partially within the HSCA. The site is a sustainable location where development is usually supported and the fact the site is within the HSCA and next to a grade II\* listed building does not prevent policy compliant redevelopment.

6.2 In this case however, the proposed development has been poorly informed by an inadequate heritage statement and has failed to address key policies in the local plan. The development through the lack of supporting information has not addressed the loss of the church hall as community asset, failed to demonstrate compliance with biodiversity policies, failed to demonstrate a suitable housing mix, failed to address the sustainability policies and failed to address the noise environment for its future occupiers.

6.3 The overall scale and massing of the development is considered to harm the setting of St John the Baptist Church which is a grade II\* listed building and is harmful to the character of the High Street Conservation Area. The proposal also fails to address the site context and relationship to The Broadway or from other key views. The design, layout and massing is considered incongruous in its site context and harmful to the character of the area.

6.4 The development also fails to provide an adequate environment for its future occupiers or meet their operational needs. The proposal harms the amenities of the adjoining occupiers in the hostel and would compromise the long term health and amenity of the trees along the southern site boundary which provide an important setting to Church Walk.

6.5 Overall, the amount of development proposed is considered to result in overdevelopment of this site due to the scale and massing of the building, the failure to address the negative impacts on neighbouring properties and existing site features, the inadequacy of the accommodation provided to create a suitable environment and meet operational needs and the failure to understand the site context.

6.6 The proposal therefore conflicts with the guidance set out in the National Planning Policy Framework and policies IN1, IN4, CH2, CH3, CH5, CH6, CH8, CH12, CH13, CH15, ENV2, ENV6, ENV7, ENV11 and H4 in the adopted Crawley Borough Local Plan 2015-2030 and the advice in the Green Infrastructure SPD, Town Centre Wide SPD, Planning and Climate Change SPD, Affordable Housing SPD, Urban Design SPD and the High Street Conservation Area Statement.

## **RECOMMENDATION RE: CR/2018/0079/FUL**

**REFUSE** - for the following reasons.

1. The proposed development results in the loss of the existing church hall (community facility) and it has not been demonstrated that the retail / community space would provide an equivalent replacement or improvement to the services provided and is therefore contrary to policy IN1 of the Crawley Borough Local Plan 2015-2030.
2. The proposed development will result in less than substantial harm to the setting of St John the Baptist Church which is a Grade II\* listed building. The harm is considered to be at the higher end of the scale and as such will not accord with local and national policy that requires new development to preserve or enhance the significance of a designated heritage asset. The development is contrary to the NPPF guidance (Section 16), policies CH8, CH12, CH13 and CH15 of the Crawley Borough Local Plan 2015-2030, the guidance in the Urban Design SPD and the High Street Conservation Area Statement.
3. The proposed development by virtue of its scale, footprint, design and massing is considered to be poorly designed and appear as an incongruous feature which would be detrimental to the character of the site and surroundings. The development would therefore be contrary to policies CH2, CH3, CH8, CH12 and CH15 of the Crawley Borough Local Plan and the advice in the Urban Design SPD, Town Centre SPD and the High Street Conservation Area Statement.
4. The proposed development by virtue of its close proximity to the trees along the southern boundary of the car park would result in pressure to prune or fell the trees due to shading and nuisance to future occupiers. The loss of the trees would be harmful to the character of the area contrary to policies CH2, CH3 and CH13 of the Crawley Borough Local Plan and the advice in the Green Infrastructure SPD.
5. The proposed development fails to demonstrate how the biodiversity objectives of the development plan have been adequately addressed in relation to the potential presence of bats at or near the site. The proposal is therefore contrary to policy ENV2 of the Crawley Borough Local Plan 2015-2030 and the advice in the Green Infrastructure SPD.
6. The proposed development by virtue of its scale, massing, design and proximity to Evergreens Hostel would have a detrimental impact due to loss of privacy, loss of light and outlook and overbearing presence to the occupants of the hostel contrary to policy CH3 in the Crawley Borough Local Plan 2015-2030 and the advice in the Urban Design SPD.
7. The proposed development by virtue of its siting, layout and design would result in an unsatisfactory environment for future residents contrary to the NPPF Sections 8 and 12, policies CH3 and CH5 of the Crawley Borough Local Plan and the advice in the Urban Design SPD.
8. The proposed development fails to adequately demonstrate that future occupants would not be adversely affected by noise from the bells at St John the Baptist's church. The development has failed to consider this noise source as part of its design and layout (or address any mitigation that be necessary to ensure that future occupants would not be exposed to unacceptable levels of noise to the detrimental to their health. The proposal is therefore contrary to Section 15 in the NPPF, policies CH3 and ENV11 in the Crawley Borough Local Plan 2015-2030 and the advice in the Urban Design SPD.
9. The proposed development fails to adequately address the operational needs of the future occupiers in respect to deliveries/ storage, refuse and cycle provision and is therefore contrary to policies CH3 and IN4 of the Local Plan and the guidance set out in the Urban Design SPD.
10. The proposed development fails to adequately address how the development plan sustainability objectives are proposed to be met in the design of the building and its construction and has not fully explored the options for connection to a future district energy network. It is therefore contrary to

policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030 and the advice in the Planning and Climate Change SPD.

11. No agreement is in place to ensure that the appropriate affordable housing and infrastructure provisions for open space and tree planting required to support the development are secured. The proposed development is therefore contrary to Policies IN1, CH6 and H4 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure SPD, the Affordable Housing SPD and the Developer Contributions Guidance Note.
12. The proposed development fails to demonstrate that it has provided an appropriate housing mix to meet Crawley's housing needs in line with the evidence set out in the Strategic Housing Market Assessment. The proposal is therefore contrary to policy H3 in the Crawley Borough Local Plan 2015-2030 and the guidance in the Affordable Housing SPD.
13. The proposal would result in overdevelopment of the site by reason of its layout, height and scale and would be detrimental to the character of the site and surroundings, the amenities of nearby occupiers and the amenities of future occupants. The proposed development would be contrary to policies CH2, CH3, CH5, CH6, CH8 and IN4 of the Crawley Borough Local Plan 2015-2030 and the advice in the Urban Design Supplementary Planning Document.

#### 1. NPPF Statement

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

- Liaising with members/consultees/respondents/applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of the application.
- Informing the applicant of identified issues that are so fundamental that it would not be possible to negotiate a satisfactory way forward due to the harm that would be caused.

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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Crawley, West Sussex,  
RH10 1UZ  
Tel: 01293 438000



1:750

