

REFERENCE NO: CR/2018/0773/OUT

LOCATION: [EWHURST, THE MARDENS, IFIELD, CRAWLEY](#)
WARD: Ifield
PROPOSAL: OUTLINE APPLICATION (ACCESS & LAYOUT) FOR THE DEMOLITION OF EXISTING GARAGE AND ERECTION OF A 2 STOREY DWELLING WITHIN GARDEN OF EXISTING EWHURST, THE MARDENS, IFIELD (AMENDED DESCRIPTION & AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 5 December 2018

CASE OFFICER: Miss D. Angelopoulou

APPLICANTS NAME: Mr David Thrift
AGENTS NAME: RDJW Architects Limited

PLANS & DRAWINGS CONSIDERED:

5291-002, Existing Block Plan
5291-001, Existing Location Plan
5291-003, Proposed Location Plan
5291-sk01, Proposed Site Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

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| 1. | WSCC Highways | No objection subject to conditions. |
| 2. | Thames Water | No response received. |
| 3. | Sussex Building Control Partnership | No response received. |
| 4. | CBC Housing Enabling & Development Manager | No response received. |
| 5. | CBC Refuse & Recycling Team | Comments received. |
| 6. | Southern Water Ltd | No objection subject to informative. |
| 7. | CBC Energy Efficiency & Sustainability | No objection subject to conditions. |
| 8. | CBC Planning Arboricultural Officer | Verbal comments provided; no objection subject to conditions. |

NEIGHBOUR NOTIFICATIONS:-

The Mardens
Apple Trees;
3, 4 and 4A Ewhurst Cottages;
Aurore.

RESPONSES RECEIVED:-

Three representations from the occupiers of nearby properties have been received raising objections to the proposal on the following grounds:

- Parking in The Mardens is a problem and cars for the present house are parked on the road as there is insufficient parking on the property. The provision of parking is inadequate and if they park on the turning area as suggested it defeats the object of a turning area.

- The proposal will result of blocking the view which is already blocked by the trees.
- There are already parking, access and traffic issues within the area, in this cul-de-sac of The Mardens, and with the adjacent school, the retirement flats, The Church and the ground maintenance yard (access almost opposite this side) and the proposal would increase these issues.
- The site is overlooked by the Millfield flats, there is a side window in the present dwelling so privacy may be a problem. The proposal will reduce light to Millfield Court residents and their overall quality of views.
- The property would be shielded by trees, would not improve natural surveillance/antisocial behaviour/crime, and would not keeping with the area since surrounding properties have now had trees removed from boundary line.
- WSCC Highway's comments have not taken into account the number of school children, and Holy Trinity, using The Mardens and crossing the road at this site to access the car park. WSCC should carry out a survey of the number of vehicles using and parking in the road when the school is open and when the church has service on a Sunday.
- The development itself can be described as being a small shed and the resulting building should really not be the future of development; small, cramped and reducing the overall quality of living for all around.

Re-consultation of the above-mentioned neighbours regarding the amended plans: 11/02/2019 for 14 days with expiry date: 25/02/2019.

One representation has been received stating that the occupier in recent weeks has started to use a large gate that opens up onto the car park for Ewhurst Place Playing fields, which has not been used for many years. It was also noted if the applicant is trying to set a precedent of use, to enable the proposed house to have a separate entrance which would clearly make an added benefit for the proposed house.

Officers clarify in relation to the gate onto the car park of Ewhurst Place Playing Fields that this was not shown on the original plans approved under the original planning permission of Ewhurst under reference: CR/134/64. During the site visit, this gate did not appear to be in use. This current application does not include any gate to the side of the application site. The vehicular and pedestrian access as proposed would be from The Mardens to the front. Any additional access to the CBC car park is a property matter between the 2 landowners.

REASON FOR REPORTING TO COMMITTEE:-

The application was called in by Councillor Peter Smith.

THE APPLICATION SITE:-

- 1.1 The application site relates to the land immediately to the west of the dwelling Ewhurst and is currently used as the side garden to the large two storey detached dwelling. It is triangular in shape, with an angled side western boundary. It is situated on the northern side of The Mardens, within the neighbourhood of Ifield and it is directly accessed from The Mardens with a parking and turning area. The site has substantial trees and landscaping to the front boundary and an outbuilding (garage) to the rear. There is a side gate to the west serving this garage outbuilding, but during the site visit it appeared that it was not in use. The western boundary includes a mixture of hedging and a 1.8m high fence and the rear boundary is marked with a 1.8m high close boarded fence.
- 1.2 Immediately to the north is the Ewhurst Place Playing Fields with a mature oak tree next to the north-west corner of the application site. Immediately to the west is a council owned car park serving the Playing Fields. The Mardens comprises a mixture of housing styles and types to the east and is dominated by the St Margaret's Primary School, Millfield Court retirement development and Trinity Church to the west.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application seeks outline planning permission for the demolition of the existing garage and the erection of a two storey dwelling within the garden of Ewhurst. This application is for Outline

Planning Permission with access and layout to be assessed at this stage. All other matters (scale, appearance and landscaping) are considered at the Reserved Matters stage.

- 2.2 The proposal has been amended since the application was submitted, by adding the layout as a matter to be considered under this outline application, revising the driveway, showing the existing mature tree to the north-west, the existing front hardstanding and providing a proposed new tree. The Design and Access Statement has also been revised by removing the reference to a proposed accompanying garage.
- 2.3 The submitted proposed location/site plan shows that the existing access from The Mardens would be utilised and that the existing outbuilding/garage to the rear (north-west) would be demolished to allow space for the new dwelling. The existing access would be shared with the existing property, Ewhurst. This plan also shows the layout and location of the proposed dwelling along with 2 car parking spaces for each dwelling. It shows the subdivision of the existing curtilage of Ewhurst, with the proposed dwelling sited parallel to the road. Its front building line would be in line with Ewhurst's garage front building line and its rear building line would be in line with Ewhurst's rear building line. It would be positioned 1.5m from the new eastern shared side boundary with Ewhurst and 3m from the side elevation of the garage of Ewhurst. It would leave 1.5m gap to the west boundary at its closest point.
- 2.4 No indicative floorplans, massing, elevations, materials or tree survey materials have been provided. The applicant has submitted a Design and Access Statement, containing a planning and sustainability statement.
- 2.5 The existing block plan currently shows the position of the current hardstanding/turn on site area, which is set closer to the front elevation of Ewhurst and occupies a small part of the front curtilage. The turn on site and parking area would therefore be a new feature inserted into the front garden area and is shown on the proposed site plan.

PLANNING HISTORY:-

- 3.1 The most recent planning history is as following:
 - CR/2018/0366/OUT – OUTLINE APPLICATION (ACCESS) FOR THE DEMOLITION OF EXISTING GARAGE AND ERECTION OF A 2 STOREY DWELLING WITHIN GARDEN OF EXISTING EWHURST, THE MARDENS, IFIELD – Refused for the following reasons:
 1. *'The proposal, by reason of its angled plot shape, the layout, siting and footprint and its relationship with site boundaries and existing trees and vegetation, would constitute an overdevelopment of the site resulting in a cramped and an incongruous form of development which would be harmful to the visual amenities and character of the area. It would therefore conflict with Policies CH2, CH3 and H1 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (July 2018).*
 2. *It has not been demonstrated to the satisfaction of the Local Planning Authority that the erection of a dwelling on this site would provide a suitable living environment for the future occupiers, including outdoor amenity and internal space standards, and given the relationship to neighbouring properties and existing trees and vegetation. The proposal would therefore be contrary to Policies CH3, CH5 and H1 of the Crawley Borough Local Plan 2015 - 2030, the Urban Design Supplementary Planning Document and the relevant paragraphs of the National Planning Policy Framework (July 2018).*
 3. *The proposed development, by reason of its proximity and layout, would result in an adverse impact on the amenities enjoyed by the occupants of neighbouring properties Ewhurst and Millfield Court by way of overbearing presence and overdominance, loss of privacy and light, and overlooking. The proposal would therefore be contrary to Policy CH3 of the Crawley Borough Local Plan 2015-2030, the Urban Design Supplementary Planning Document (2016) and the relevant paragraphs of the National Planning Policy Framework (July 2018).*
 4. *An agreement is not in place to ensure that the appropriate infrastructure contributions are secured in relation to affordable housing. The development is therefore contrary to Policy H4 of the Crawley Borough Local Plan 2015-2030 and the Affordable Housing Supplementary Planning Document (2017).'*

3.2 The property was erected under ref: CR/134/1964 as a 4-bedroom detached dwelling.

PLANNING POLICY:-

National Planning Policy Framework (2019) (NPPF)

4.1 The National Planning Policy Framework (NPPF) published in 2019 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

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

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

4.2 The following Local Plan policies are relevant to this application:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH1: Neighbourhood Principle will be protected and enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- Policy CH2: Principles of Good Urban Design in order 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. Development proposals must adhere to any relevant supplementary planning guidance produced by the council including residential extensions.
- Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, which is based on the Nationally Described Space Standard.

- Policy CH6: Tree Planting and Replacement Standards. Landscape proposals for residential development should contribute to the character and appearance of the town by including at least one new tree for each new dwelling, of an appropriate species and planted in an appropriate location. Where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced in order to mitigate for the visual impact resulting from the loss of the tree canopies.
- Policy H1: Housing Provision. The council will positively consider proposals for the provision of housing to meet local housing needs, taking a pro-active approach to identifying suitable sites for housing development and working to overcome constraints wherever possible, whilst ensuring against detrimental town-cramming or unacceptable impacts on the planned character of the existing neighbourhoods or on residential amenity.
- Policy H3: Future Housing Mix. All housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme.
- Policy H4: Affordable and Low Cost Housing. 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less, or less than 0.2ha in size, a commuted sum towards off-site affordable housing provision will be sought.
- Policy ENV6: Sustainable Design and Construction. In order to maximise carbon efficiency, all homes will be required to meet the strengthened on-site energy performance standards of the Building Regulations, and any subsequent increased requirements.
- Policy ENV9: Tackling Water Stress. New dwellings should where viable and technically feasible, meet the Building Regulations optional requirement for tighter water efficiency.
- Policy IN1: Infrastructure Provision. Development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2: Strategic Delivery of Telecommunications Infrastructure states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- Policy IN3: Development and Requirements for Sustainable Transport. Development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.
- Policy IN4: Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards

Supplementary Planning Documents

The Supplementary Planning Documents are non-statutory documents which supplement the policies of the Local Plan and are applicable to this application. In particular:

Urban Design SPD (adopted October 2016):

- 4.3 The Urban Design SPD includes design guidance and examples on residential development and sets out further information on minimum rear window to window distances (21 metres) and amenity space standards.

It also includes the Crawley Borough Parking Standards which refer to minimum parking standards and states for 3 plus bed dwellings that the requirement is 2-3 spaces. Regarding the cycle parking it is states that: *'All cycle parking must be sheltered and secure and in accordance with local guidance and best practice design. No additional cycle parking spaces will be required where a garage is provided. For two bed dwellings or more – 2 spaces per dwelling and 1 space per 8 dwellings for visitors should be provided'*.

Green Infrastructure SPD (adopted October 2016):

- 4.4 This SPD provides clear guidance on how to meet the requirements of Local Plan Policies in relation to Crawley's Green Infrastructure assets. It provides further guidance on Policy CH6: Tree Planting and Replacement Standards.

Planning and Climate Change SPD (adopted October 2016):

- 4.5 This SPD includes further guidance on sustainability policies within the Local Plan (Policies ENV6, ENV7, ENV8, ENV9 and IN3).

Affordable Housing SPD (adopted November 2017):

- 4.6 This SPD includes further guidance on affordable housing – Policy H4 within the Local Plan which requires 40% affordable housing provision from all residential developments. For smaller scale developments of 1-5 units, an off-site contribution will be accepted in lieu of on-site provision. The SPD sets out clear procedures for commuted sum payments and includes an Affordable Housing Calculator. The SPD also addresses a number of other issues, such as design, sustainability, space standards and house type and mix.

Crawley Community Infrastructure Levy Charging Schedule 2016

- 4.7 The Crawley CIL Charging Schedule is in effect from 17th of August 2016 and is also relevant to this application as the proposal would create one additional dwelling.

Developer Contributions Guidance Note (published July 2016)

- 4.8 This sets out the Council's approach to developer contributions following the introduction of the Community Infrastructure Levy. It provides details of the CIL charges and when S106 contributions will be sought.

PLANNING CONSIDERATIONS:-

- 5.1 This application is the re-submission of a revised scheme following the previously refused outline application CR/2018/0366/OUT. This earlier application was refused on the grounds that the proposal would, by reason of its angled plot shape, the layout, siting and footprint and its relationship with site boundaries and existing trees and vegetation, constitute an overdevelopment of the site resulting in a cramped and an incongruous form of development. This application was also refused due to insufficient information over the suitability of the living environment for future occupiers and the impact on neighbouring amenities. These aspects will be considered below in order to ascertain whether the previous reasons for refusal have been overcome and against other material planning considerations.
- 5.2 This revised application as amended is for outline planning permission with access and layout, and for appearance, scale and landscaping to be reserved matters. The main planning issues in the determination of this application are:
- The principle of the development in this location
 - Visual amenity and character of the surrounding residential area
 - The impact on access, highways and parking
 - The acceptability of the proposed development for future occupiers
 - Impact on the amenity of neighbouring properties and amenities
 - Sustainability
 - Provision of Affordable Housing
 - Community Infrastructure Levy and Other Infrastructure Contributions

The principle of the development in this location

5.3 The use of the site for a new dwelling is in accordance with NPPF objectives to promote and encourage residential development on appropriate sites. The proposal would provide one additional dwelling to meet Crawley's housing needs. The site is located within the built up area boundary of the Crawley Borough, as defined within the Crawley Borough Local Plan 2015-2030, and is in a sustainable location within the existing residential area of Ifield. The principle of development in this area is therefore considered acceptable in terms of the provisions of Policy H1. However, this Policy also requires to ensure against detrimental town-cramming or adverse impact on residential amenity, and whilst the principle of an additional dwelling could be acceptable, the more detailed matters considered below would need to be addressed.

Visual amenity and character of the surrounding residential area

5.4 The site is located within a residential area and The Mardens comprises a mixture of housing styles and types to the east. To the west, it is dominated by the St Margaret's Primary School, Millfield Court retirement development and Trinity Church. The dwellings to the east, including the application site, are set within good sized plots, retain a gap to their side boundaries and they therefore appear to sit comfortably within their plots. They are set back from the street and are parallel to the road.

5.5 The proposal would involve the subdivision of the existing curtilage of Ewhurst. Therefore, it is essential that the resultant development relates and is compatible with the overall design and layout of the existing neighbourhood, and should be respectful and sympathetic to the existing character of the site and wider environs, and not appear cramped.

5.6 Local Plan Policies CH2 and CH3 state that all proposals for development will be required to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, height, massing, layout, details and materials. They should also 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.

5.7 The proposed dwelling would be sited within the curtilage of Ewhurst and so would result in the subdivision of the plot into two. The plot for Ewhurst would be the bigger of the two plots and so the new plot would be smaller. It is acknowledged that within the surrounding area there are semi-detached properties and detached properties and there is no dominant street pattern in relation to a fixed building line etc., however all the properties have good gaps to their side boundaries, resulting in the dwellings appearing to sit comfortably within their curtilages, and all are sited parallel to the road. The revised scheme has now included layout as matter to be assessed under this application, and has sited the new dwelling to be parallel to the road and be in line with the front and rear building lines of Ewhurst. The new dwelling would have similar distances to the shared boundary with Ewhurst and the boundary to the west. This distance is also similar to the existing boundary relationship between Ewhurst and Apple Trees to the east.

5.8 This new layout has thus addressed the concerns raised with the refused application in respect of the cramped nature of the development, in particular the siting, plot boundaries, footprint, parallel pattern of built form and the character of the other dwellings along The Mardens . The revised proposal it is now considered acceptable in this regard.

5.9 In respect of the visual impact of the proposed dwelling in the street scene, it would be adjacent to the existing car park and would leave 1.5m gap to this boundary to the west at its closest point and 6.5m at its widest point due to the angled boundary. There are some existing trees and bushes on the front boundary as shown on the proposed plan. Whilst no tree surveys of the site or arboriculture report have been provided to demonstrate that the existing vegetation would not be impacted as part of the development and the proposed driveway, the proposed plan shows them as to be retained and the agent confirmed that there would be no loss of any of these trees and shrubs. As a result, the existing vegetation could be retained to form an effective screen and softening impact and details would be required to be submitted as part of the landscaping reserved matters. The

proposal would also be visible to the east, where all the surrounding properties have open boundaries with no vegetation and to the west from the car park and the retirement flats.

- 5.10 The proposal as amended also includes a revised front driveway that covers a large part of the front curtilage. Whilst this would be a larger feature inserted into the front garden area, it is acknowledged that the surrounding properties have open boundaries with no vegetation and No.4 Ewhurst Cottages to the east has its front curtilage laid to hardstanding. It is therefore considered that the new plan showing all the existing trees along with the new layout of the dwelling and driveway is acceptable and would not detrimentally impact the visual amenity of the surrounding area.
- 5.11 No indicative materials or appearance have been provided, including floorplans, massing or elevations, and therefore the detailed appearance of the proposal cannot be assessed under this outline planning permission.
- 5.12 To conclude, it is therefore considered that the revised scheme has overcome the previous reason for refusal and it is not considered to result in an incongruous and cramped form of development on the plot. Given the revised parallel layout and building lines, the proposal would not have an adverse impact upon the character and appearance of the area and would therefore be in accordance with the relevant Local Plan Policies and the relevant paragraphs of the NPPF.

The impact on access, highways and parking

- 5.13 The existing vehicular and pedestrian access from The Mardens would be utilised. The originally submitted plans showed a 9m wide front driveway and the original Design and Access Statement (DAS) stated that there would be an integral garage. Officers raised concerns that the proposed driveway could not provide adequate parking and turn on site and that this has not been adequately demonstrated by the applicant. More information was also requested to prove that the footprint of the dwelling could meet the minimum space standards for the future occupiers and provide an integral garage at the same time.
- 5.14 The applicant submitted a revised plan showing a 16.2m wide front driveway and confirmed that there would be no integral garage. A revised DAS was also submitted removing the reference to the garage. The new submitted site plans show swept path tracking and that two car parking spaces would be provided on the driveway for each dwelling. The existing property, Ewhurst, also has an integral garage. The Council's car parking standards are 2-3 spaces per dwelling and therefore this provision is considered acceptable.
- 5.15 WSCC Highways were re-consulted on the amended description to include layout and the revised plans, and raised no objection from a highway point of view subject to conditions. They commented that vehicular visibility at the access appears sufficient for the anticipated road speeds within the vicinity; due to the nature of the no-through residential road with presence of on-street parking, it is anticipated that vehicles will not be exceeding the speed limit. Visibility splays are wholly maintainable within the highway boundary.
- 5.16 Regarding the parking and turning provision, WSCC Highways commented that:
'The revised plans and documents indicate that two parking spaces will be provided on site for each dwelling and the integral garage is no longer proposed. The proposed parking spaces meet the minimum specifications of 2.4 x 4.8m as set out in Manual for Streets (MfS). The applicant has demonstrated via swept path tracking that vehicles can manoeuvre to and from the proposed parking spaces when entering and exiting the site. Whilst the tracking appears to only demonstrate vehicles entering and exiting the site, and does not demonstrate that each vehicle can turn on site, it does demonstrate that the proposed positioning of the parking spaces is workable within the site. Whilst a turn on site would be preferred, as an un-classified, no-through residential road; the Local Highway Authority could not substantiate a highway safety objection to a lack of turn on site in this location. In addition, neighbouring properties operate similar arrangements without evidence of highway safety concern.'

- 5.17 The submitted DAS does not make any reference to any cycle spaces, but it is considered that details of cycle provision could be secured via a condition to be submitted at reserved matters stage.
- 5.18 In conclusion, no objection has been raised by the Local Highway Authority and officers consider that the access and parking arrangements proposed are acceptable as parking standards for each dwelling would be met, despite the expressed concerns from nearby occupiers.

The acceptability of the proposed development for future occupiers

- 5.19 Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, which is based on the Nationally Described Space Standards. A 3 bed 5 person 2 storey dwelling should provide a minimum internal floorspace of 93sqm and the Design and Access Statement states that the scheme was based on this information. This is also stated on the submitted proposed plan and the proposal would therefore potentially meet these requirements.
- 5.20 As this is an outline application however, no internal floorplans have been provided, and it is not therefore possible to assess the sizes of the rooms, as required by the Policy CH5 for two bedspaces etc. No detailed front/rear/side elevations have been provided and therefore it has not been possible to assess room layout and window positions and the quality of the proposed living environment in this respect. However, these aspects would be assessed in detail at the reserved matters stage.
- 5.21 This outline application does include access and layout and the plans show the position of the dwelling, access and layout, including the access driveway, existing trees on site and amenity area space.
- 5.22 The footprint and layout of the dwelling has been amended since the previously refused application and the proposal would now have an acceptable distance to the boundaries to the east and west. In particular, the proposal's side elevation would be set away from Ewhurst's garage by 3 metres, which is considered acceptable. The retirement flats to the west have bedroom windows looking into the application site, and the minimum distance between the existing windows and the western flank wall of the proposal would be 18m. There are some trees on the boundary of the retirement flats and a car park separates the two properties. The adopted Urban Design SPD states that a minimum distance of 10.5m should be provided between the developments that include a blank side gable and any windows serving habitable rooms on adjacent properties. It is acknowledged that the western side wall of the new dwelling could be blank or include secondary windows, and this detail would be assessed at the reserved matters stage. It is therefore considered that the proposal would now have an acceptable relationship to the boundaries and properties to the east and west.
- 5.23 From the submitted plans it does appear that the private amenity space would accord with the Council's standards (90sqm for 5 or 6 occupants) for both the new dwelling and the existing property. Whilst the minimum garden depth of 10.5m, as recommended in the Urban Design SPD, would not be achieved, this is considered on balance acceptable given the garden depth of the surrounding properties to the east, especially Nos 3 and 4 Ewhurst Cottages, and the width of the garden which is between 15 – 18m (due to the angled boundary to the east).
- 5.24 Previously concerns were raised regarding the oak tree to the north of the garden that could cast shade and affect light levels into the house and garden. These have been addressed as the proposal has now included the 'layout' to be assessed and it is now clear that the proposed dwelling would be set far away from the tree. The Council's Arboriculture Officer stated that, given that that the layout is now considered under this application, this separation distance is now acceptable. He commented that a condition should be attached to require a Tree Protection Plan and Arboricultural Method Statement.
- 5.25 To conclude, despite the lack of information provided especially floor plans for room sizes and the positioning of windows, it is considered that the new layout and footprint of the dwelling has overcome the previous reason for the adequacy of the accommodation for future occupiers. Subject

to conditions, the proposal is considered to provide a suitable and acceptable environment for potential future occupiers and would accord with the relevant policies of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the NPPF.

The impact on neighbouring properties and amenities

- 5.26 The adjoining property to the east is Ewhurst. This property is a two storey detached dwelling with an attached single storey garage to this side and a first floor side window. The application would result in a revised layout for Ewhurst. There is a detached outbuilding/garage to the north-west that would be demolished and did not appear to be in use during the site visit. The footprint and layout of the dwelling has been amended since the previously refused application and the proposal would be set away from Ewhurst's attached garage by 3 metres. Ewhurst has a side window overlooking the new proposed dwelling, but this window is a bathroom window as shown on the original approved plans of the dwelling under CR/134/1964. This relationship is therefore considered acceptable and the indicative two storey dwelling in the position shown would not be harmful.
- 5.27 As stated above the retirement flats to the west have bedroom windows looking across the application site, and the minimum distance between the existing windows and the western flank wall of the proposal would be 18m. This would comply with the 10.5m distance set out in the Urban Design SPD. In addition there are some trees on the boundary of the retirement flats and a car park separates the two properties. This relationship is therefore considered acceptable and the indicative two storey dwelling in the position shown would not be harmful. It is acknowledged that the western side wall of the new dwelling could be blank or include secondary windows, and this would be assessed at the reserved matters stage.
- 5.28 Overall, it is considered that the new layout and footprint of the dwelling and the separation distances with the neighbouring properties have overcome the previous reason for refusal regarding the detrimental impact upon the neighbouring amenities. The proposed development is therefore considered acceptable regarding the impact on the amenities enjoyed by the occupants of neighbouring properties and would accord with the relevant Local Plan Policies, the Urban Design SPD and the NPPF.

Sustainability

- 5.29 Local Plan Policies ENV6 and ENV9 are relevant to this proposal and the Design and Access Statement makes a brief reference to some principles of sustainable design. A detailed sustainability statement can be provided later at reserved matters stage and these issues could be controlled via conditions.

Provision of Affordable Housing

- 5.30 Crawley Borough Local Plan Policy H4 states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less a commuted sum towards off-site affordable housing provision will be sought, further guidance on how this is applied is set out in the recently adopted Affordable Housing SPD 2017. Based on the proposed floorspace of 93sqm, the applicant has agreed to make a contribution of £10,850 towards affordable housing provision, in accordance with the Affordable Housing Calculator, which would be secured through a legal agreement. Subject to the completion of the agreement, the application is considered to comply with Local Plan Policy H4, the Affordable Housing SPD and the objectives of the NPPF.

Community Infrastructure Levy and Other Infrastructure Contributions

- 5.31 Policy IN1 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will seek to implement a Community Infrastructure Levy (CIL). The proposal would involve the creation of one new dwelling and it is CIL liable. According to the CIL Charging Schedule 2016 the charge for residential within the boroughwide zone is £100 per sqm subject to indexation. Should planning permission be granted, an informative would be attached to the decision notice to inform that this development constitutes Community Infrastructure Levy 'CIL' liable development which is a mandatory financial charge on development.

5.32 The creation of one additional dwelling would require the provision of one additional tree, under Local Plan Policy CH6. The submitted plan shows the existing trees and hedges on site and the agent confirmed that there would be no loss of any of these. The revised plan also shows a proposed new tree within the rear garden of the new dwelling, further away from the oak tree to the north-west, which is considered acceptable and could be controlled via a condition.

CONCLUSIONS:-

6.1 In conclusion, it is considered that the proposed two storey dwelling on this site, in the position shown would not have an adverse impact upon the character and appearance of the area and would have an acceptable relationship with adjacent dwellings subject to appropriate conditions. The proposal is considered that, subject to appropriate conditions, would provide an acceptable environment for the future occupiers and would have an acceptable impact on trees, and parking and access. It is also considered that the current layout and revisions have overcome the previous reasons for refusal and the proposed development would accord with the policies outlined in the NPPF (2018), the Crawley Borough Local Plan (2015-2030), the Urban Design SPD, the Affordable Housing SPD, and the Planning and Climate Change SPD (2016).

RECOMMENDATION RE: CR/2018/0773/OUT

PERMIT subject to the completion of a Section 106 agreement to secure a £10,850 contribution towards the off-site provision of affordable housing and the following conditions:

1. i) Details of the appearance, landscaping including an additional tree, and scale, (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
ii) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.
REASON: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last reserved matters to be approved.
REASON: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990.
3. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
4. No development shall be carried out unless and until detailed plans and particulars of the land levels and the finished floor levels of the dwelling and its relationship to the adjoining property Ewhurst including cross sections have been submitted to and approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No above ground development shall be carried out unless and until a schedule of materials and finishes, and samples of such materials and finishes, to be used for external walls, glazing and roofs of the proposed dwelling have been submitted to and approved by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document (2016).
6. The dwelling hereby permitted shall have no more than 93sqm Gross Internal Area floorspace.

REASON: To avoid overdevelopment of the site and safeguard the amenities of future occupants in accordance with Policies CH3 and CH5 of the Crawley Borough Local Plan 2015-2030 and to comply with the Affordable Housing Policy H4.

7. No above ground development shall take place unless and until a scheme to provide combined television reception facilities and superfast broadband for the dwelling hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.
REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.
8. No part of the development shall be first occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
REASON: To provide adequate on-site car parking and turning space for the development in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design SPD.
9. No part of the development shall be first occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The spaces shall be made available to residents upon occupation and maintained as such thereafter.
REASON: To encourage sustainable travel options and in accordance with Policies IN3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design SPD 2016.
10. No part of the development shall be occupied until full details of refuse and recycling storage have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented prior to first occupation and maintained for the use of residents thereafter.
REASON: To ensure the operational requirements of the site can be met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the standards set out in the Urban Design SPD 2016.
11. Prior to the commencement of any development including any preparatory work such as demolition hereby approved, an Arboricultural Method Statement and Tree Protection Plan shall be provided to the Local Planning Authority showing the measures to safeguard retained trees as indicated on drawing no .5291-003 RevF and in accordance with BS5837:2012. The details shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with those details, including the use of appropriate ground protection and shall remain in place during the construction period.
REASON: To maintain the long term health of the trees which are important to the site in accordance with Policies CH3 and CH6 of the Crawley Borough Local Plan 2015 – 2030.
12. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Sustainability Statement detailing measures by which the development proposes to address the sustainability objectives concerning climate change mitigation and adaptation set out in Local Plan Policy ENV6. The scheme shall be carried out in accordance with the approved details.
REASON: In the interests of sustainable design and construction and in accordance with Policy ENV6 of the Crawley Borough Local Plan 2015-2030.
13. The residential unit shall not be occupied until details have been submitted to, and approved in writing by, the Local Planning Authority to demonstrate that it shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030.
14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or Orders amending or revoking the same, no development

within Class A, Class B, Class C and Class E of Part 1 of Schedule 2 to that Order shall be carried out without the prior permission of the Local Planning Authority on an application in that behalf.
REASON: To avoid overlooking, loss of privacy, to protect the amenities of adjoining residential properties and to safeguard trees in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE(S)

1. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.
2. The water efficiency standard required under condition 13 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
3. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

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

0800 to 1800 Monday to Friday and
0800 to 1300 on Saturday.

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

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

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

4. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
1. NPPF Statement

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

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

- Liaising with 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 and additional information to address identified issues during the course of the application.

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

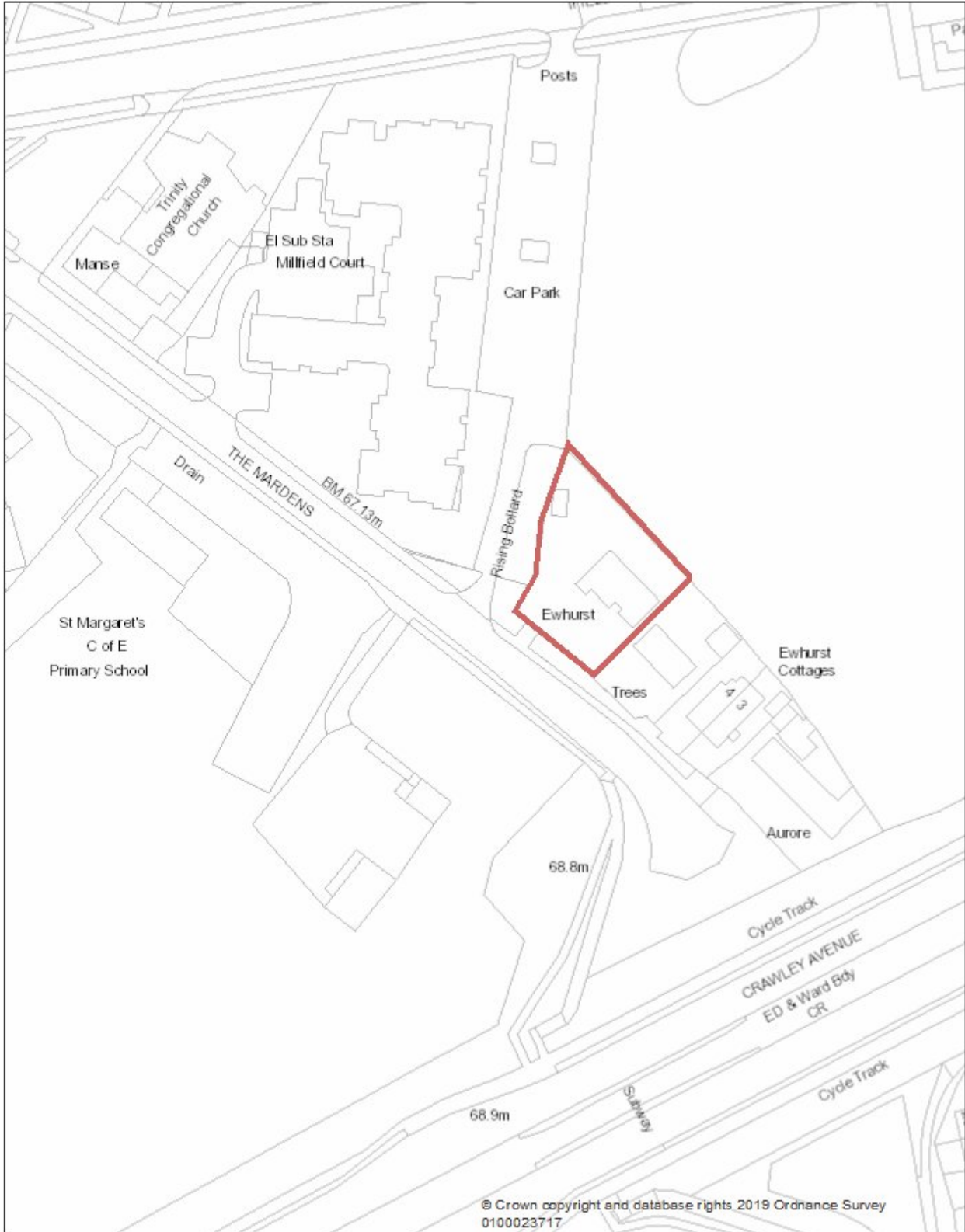


ArcGIS Web Map

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