

LOCATION: [LAND NORTH OF FORMER GAS HOLDER STATION, CRAWLEY AVENUE, POUND HILL](#)

WARD: Pound Hill North & Forge Wood

PROPOSAL: RETROSPECTIVE APPLICATION FOR RETENTION OF HARDSTANDING/FENCING AND PROPOSED CHANGE OF USE OF GRASSLAND/WOODLAND TO VEHICLE STORAGE

TARGET DECISION DATE: 1 October 2018

CASE OFFICER: Mr T. Nutt

APPLICANTS NAME: Jim Treacy

AGENTS NAME: PROwe Planning Solutions

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
PRR1		Location Plan
PRR2		Block Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

- Environment Agency No comments
- WSCC Highways No comments received
- National Air Traffic Services (NATS) No objection
- Surrey County Council Comments on the importance of increasing public transport use and reducing traffic congestion.
- Mid Sussex District Council No comments received
- Mole Valley District Council No objection
- East Sussex County Council No comments received
- Horsham District Council No comments received
- Tandridge District Council No comments received
- Reigate and Banstead Borough Council No comments received
- CBC Drainage Officer Objection - No information has been provided to demonstrate how surface water is discharged from the site.
- CBC Property Division Comment: The applicant does not have right of way over access road for the proposed use.
- CBC Environment Team No comments received
- CBC Planning Arboricultural Officer Objection - The trees that have been removed from the eastern boundary and (it would appear) the western boundary were making an important contribution to the green amenity of the area and were part of the woodland with important ecological significance. Loss of these trees is unacceptable and would result in an erosion of this important resource.
- CBC Contaminated Land No comments received
- CBC Strategic Planning No comments received
- CBC Env Health Air Quality (AQMA) Objection - lack of evidence to justify vehicle movement at this location, and the cumulative impact of development in the area, which may compromise the

18. Archaeology Officer	local authority's duties to improve air quality within the AQMA. Objection - No archaeological information/survey work has been undertaken in this Archaeological Notification Area – Medieval Iron Working and Settlement Site, Tinsley Green.
19. Ecology Officer	Objection - The development would, if it were to remain in place, negatively impact biodiversity by preventing restoration (so far as practicable) of the habitats that have been removed as well as posing a risk to the biodiversity of the stream. As such, it would be contrary to local plan policy ENV2.
20. WSCC Lead Local Flood Authority	No comments received
21. Health & Safety Executive	No objection
22. Homes & Communities Agency (HCA)	No comments received
23. GAL Planning Department	Objection - considers that the 'storage' of such vehicles may still be for off airport car parking and therefore contrary to Local Plan policy GAT3 and the NPPF which promote sustainable development.

NEIGHBOUR NOTIFICATIONS:-

A site notice was displayed on site 02/08/2018 and 09/10/2019.
A press notice advertised on 19/07/2018 and 18/07/2019.

RESPONSES RECEIVED:-

No responses received.

REASON FOR REPORTING TO COMMITTEE:-

The site is a major application due to the area of the proposal being over 1ha in size.

1. THE APPLICATION SITE:-

- 1.1 Located to the north of and accessed from Crawley Avenue, the site comprises an area recently laid to hard-standing to the north of the gas holder structure. Gatwick Stream runs close to the eastern boundary of the site. There is an extensive woodland area around the east and west sides of the site. The site has been enclosed by a 2.4m high galvanised palisade fence. At the time of the site visit there were hundreds of cars within the site parked up to the fence boundaries. It is also noted that aerial photographs from 2014 show a 15-20m belt of trees on the western side of the Gatwick Stream which are within a Biodiversity Opportunity Area as shown on the Local Plan Map and listed within Local Plan policy ENV2 Biodiversity. Aerial photos from 2018 and the site visit photos for this application taken on 02/08/2018 show that this woodland has been removed and that the fence boundary to this site has been placed 2-3m from the Gatwick Stream as proposed here.
- 1.2 At the time of the site visit, staff wearing Maple Manor tabards were seen operating the site. Maple Manor are an airport parking company and have been using the site and the area to the south of the gas holder structure for off airport parking. Airport parking has been viewed on the site on 13/04/2018 and 14/04/2018 by the council's enforcement officer and on 02/08/2018 during the site visit for this planning application.
- 1.3 The site is wholly within an Environment Agency Zone 2 Flood Risk Area and parts of the eastern side of the site are within a Zone 3b Flood Risk Area. The Gatwick Stream runs along the eastern boundary and is identified by the Environment Agency as a major river.
- 1.4 The site is also wholly within the middle ring of a HSE Major Hazard Site consultation zone with about half the site within an inner zone radiating out from the gas holder to the south.

1.5 The application site is located within the red line boundary of the Forge Wood development and is subject to control through its conditions. As part of the Forge Wood development it is identified as Woodland Planting and Grassland (A2) (CSa Environmental Planning – Site Wide Landscape Management Plan – Section 73 Master Plan Dec 2015, condition 12 of CR/2015/0552/NCC).

2. THE PROPOSED DEVELOPMENT:-

2.1 This retrospective planning application seeks temporary permission for 5 years for the erection of hardstanding/fencing and use the site for vehicle storage. The hard-standing and 2.4m high palisade fence has been laid over what was previously an open field/woodland area. The submitted Block Plan shows a 6 metre buffer strip between the proposed vehicle storage area and fence boundary which would be planted with native hedging. The application states that the existing number of on-site parking spaces is 195 and the total proposed (including spaces retained) would be 195. Existing access, parking and turning arrangements would remain unchanged. Access to the site is from Crawley Avenue and is shared with anglers who use the path that spurs off to the left of the entrance road that serves the fishing lakes

2.2 The submitted application does not state what the storage of cars is for. The application was validated and the description changed from '*proposed change of use of existing compound for vehicle storage*' to '*retrospective change of use application from vacant agricultural land to airport related parking for a temporary period of 5 years and retention of hard-standing and fencing*'. This was as a result of the submitted design and access statement which includes pre-application correspondence relating to airport related parking, an ecological report commissioned by Maple Manor Parking an airport parking company, and the conclusion to the design and access statement which mentions close proximity to hotels which currently use the site for the parking of customers' vehicles who use the airport. The applicant was made aware of this via email on 10th July 2018. The applicant emailed the case officer on 3rd September 2018 following consultation, stating that they do not agree with the description and that the application proposes a B8 storage use not airport parking. A re-consultation was requested by the applicant. Further information was then sought from the applicant on 24th Oct 2018 requesting additional information on what the proposed B8 storage use is and how it would operate before re-consultation. This information was felt necessary to enable consultees to have sufficient information to form a response and the case officer to determine the application. The applicant has not responded to the request. Despite the lack of information detailing what the car storage would be for, an amended description was agreed and consultees re-consulted. The amended description is: RETROSPECTIVE APPLICATION FOR RETENTION OF HARDSTANDING/FENCING AND PROPOSED CHANGE OF USE OF GRASSLAND/WOODLAND TO VEHICLE STORAGE.

2.3 Without the additional information, required to clarify what was being applied for, it is difficult to properly consider the application, as the operation of the site and what the storage relates to, is key in considering its acceptability. In the absence of further information as requested, the application is therefore determined on the basis of car storage use but based on the unclear information submitted by the applicant consideration is also given to the use of the site for airport related car-parking.

2.4 The following documents have been submitted in support of the application:

- Planning, Design and Access Statement
- Ecological Walkover Assessment 2013 (this relates to the site to the south)
- Preliminary Ecological Appraisal 2018 (this was undertaken after the grassland/woodland had already been removed and makes no reference to this as its lawful use)

3. PLANNING HISTORY:-

3.1 CR/2019/0649/191

CERTIFICATE OF LAWFULNESS FOR EXISTING HARDSTANDING

Refused - The existing hardstanding is part and parcel of the unauthorised off airport parking sui generis use of the land and the applicant is required to demonstrate 10 years continuous use. The applicant has not provided evidence to justify its continuous operation for 10 years.

3.2 CR/2015/0552/NCC

APPLICATION TO VARY CONDITIONS PURSUANT TO APPLICATION CR/1998/0039/OUT FOR A NEW MIXED USE NEIGHBOURHOOD AT FORGE WOOD, CRAWLEY (UPDATED NOISE ASSESSMENT INFORMATION AS PART OF ENVIRONMENTAL STATEMENT - RECEIVED 09/09/2016)

Permit – This application sought changes to the form of the new neighbourhood to reflect up to date circumstances and technical guidance and responding to changed local aspirations. The area north of gas holder is identified as Woodland Planting and Grassland (A2) within the Site Wide Landscape Management Plan submitted with this application and Condition 12 states that '*The development shall be carried out and managed in accordance with the approved Site Wide Landscape Management Plan ref. DH/LHU P.0571 February 2016*'.

3.3 CR/1998/0039/OUT

ERECTION OF UP TO 1900 DWELLINGS, 5000SQ.M. OF USE CLASS B1,B2 & B8 EMPLOYMENT FLOORSPACE, 2500SQ.M. OF RETAIL FLOORSPACE, A LOCAL CENTRE/COMMUNITY CENTRE (INCLUDING A COMMUNITY HALL), A NEW PRIMARY SCHOOL, RECREATIONAL OPEN SPACE, LANDSCAPING, THE RELOCATION OF THE 132KV OHV POWER LINE ADJACENT TO THE M23, INFRASTRUCTURE AND MEANS OF ACCESS

Appeal Allowed

South of the Site

3.4 The adjacent site to the south of this site and the gas holder structure has recent history of a 3 year temporary permission for airport parking and the subsequent appeal to extend this permission was dismissed. An application for airport parking for a temporary period of 12 months on the same site submitted prior to the appeal decision has also been refused:

3.5 CR/2018/0381/FUL

RETROSPECTIVE APPLICATION FOR CHANGE OF USE OF LAND TO AIRPORT RELATED PARKING FOR A TEMPORARY PERIOD OF 12 MONTHS AND RETENTION OF HARD-STANDING AND FENCING

Refused

3.6 CR/2016/1050/NCC - REMOVAL OF CONDITION 1 (TEMPORARY PERMISSION FOR 3 YEARS FOR THE LAND TO BE USED FOR AIRPORT CAR PARKING) OF PLANNING PERMISSION CR/2013/0299/FUL.

Refused. Appeal dismissed on 19th July 2018.

3.7 CR/2013/0299/FUL

RETROSPECTIVE CHANGE OF USE OF LAND TO LONG TERM AIRPORT CAR PARKING FOR A TEMPORARY PERIOD OF 3 YEARS AND RETENTION OF HARD-STANDING (REVISED DESCRIPTION).

Permit (now expired)

4. PLANNING POLICY:-

4.1 National Planning Policy Framework (NPPF 2019)

- Paragraph 11 – The presumption in favour of sustainable development. Plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means: approving development proposals that accord with an up-to-date development plan without delay. At the heart of the NPPF is a presumption in favour of sustainable development.
- 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 6 – Building a strong, competitive economy. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight

should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- Section 9 – Promoting Sustainable Transport. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. In assessing specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; b) safe and suitable access to the site can be achieved for all users; and c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- Section 15 conserving and enhancing the natural environment states that decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, recognising the intrinsic character and beauty of the countryside, and minimising impacts on and providing net gains for biodiversity.

4.2 Crawley 2030: The Crawley Borough Local Plan 2015-2030

The plan was adopted on 16th December 2015. Relevant policies include:

- Policy SD1: Presumption in favour of Sustainable Development states that the Council will take a positive approach to approving development which is sustainable.
- Policy CH2: Principles of Good Urban Design in order to assist in the creation, retention or enhancement of successful places. Development proposals will be required among others to create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas, and provide information to demonstrate how the policy principles are achieved through the development.
- Policy CH3: Normal Requirements of All New Development states that all proposals for development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include: views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surrounds in terms of scale, density, height massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause unreasonable harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and where any are lost replacement tree planting should accord with the standards set out in policy CH6.
- Policy CH4: Comprehensive Development and Efficient use of Land: Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development.
- Policy CH6: Tree planting and replacement standards sets out that where development would result in the loss of trees these should be identified and replaced to mitigate the visual impact from the loss of canopies. The requirement for replacement trees is based on the size of the trees to be lost and this is expected to take place on site or be subject to commuted payments for planting elsewhere.

- Policy CH7: Structural Landscaping states that areas of soft landscaping that make an important contribution to the town and its neighbourhoods should be protected and if appropriate enhanced.
- Policy EC1 'Sustainable Economic Growth' states that Crawley's recognised role and function as the key economic driver for the Gatwick Diamond will be protected and enhanced and the established role of Manor Royal as a key business location for B Use classes is to be protected and ensure that the town's Main Employment Areas are the focus for sustainable economic growth.
- Policy ENV1 Green Infrastructure. This Policy states that Crawley's multi-functional green infrastructure network will be conserved and enhanced through various measures including protection, enhancement and integration with new development, mitigating harm and maintaining and extending links where possible, including through larger proposals.
- Policy ENV2 Biodiversity, All development proposals will be expected to incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features. Habitat and species surveys and associated reports will be required to accompany planning applications which may affect...sites showing likely ecological value based on past ecological surveys.
- Policy ENV4 Open Space Sport and Recreation: proposals that remove or affect the continued use of existing open space, sport and recreation spaces will not be permitted unless: an assessment of the needs for open space, sport and recreation clearly show the site to be surplus to requirements, or the loss would be replaced by equivalent or better provision in a suitable location or the development is for an alternative sports and recreation provision, the needs for which clearly outweigh the loss.
- Policy ENV8 Development and Flood Risk states development proposals must avoid areas which are exposed to flooding and must not increase the risk of flooding elsewhere.
- Policy ENV10 Pollution Management and Land Contamination. Development must not result in a significant increase in levels of pollution or hazards unless the impacts can be mitigated.
- Policy ENV12 Air Quality states that development proposals that do not result in a material negative impact on air quality will normally be permitted. In all relevant cases, development that cannot demonstrate how material negative air quality impacts will be mitigated may be refused.
- Policy IN3 Development and requirements for sustainable transport states that development should be concentrated in locations where sustainable travel patterns can be achieved. In addition, developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased congestion or highway safety. Where appropriate, Transport Statements or Transport Assessments will be required.
- Policy IN4 Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meets its needs.

The following policy is included due to the uncertainty over what is being applied for. The design and access statement includes pre-application correspondence relating to airport related parking, a Preliminary Ecological Appraisal commission by Maple Manor Parking an off-airport parking company, and the conclusion to the design and access statement that mentions close proximity to hotels which currently use the site for the parking of customers' vehicles who use the airport.

- Policy GAT3 Airport Related Parking. The Provision of additional or replacement airport parking will only be permitted within the airport boundary. All new proposals must be justified by a demonstrable need in the context of proposals for achieving a sustainable approach to surface transport access to the airport.

5. PLANNING CONSIDERATIONS:-

5.1 The main consideration in the determination of this application is whether the principle of change of use of an open field/woodland area allocated for woodland planting and grassland as part of the Forge Wood development to vehicle storage/airport parking is acceptable. Other detailed planning considerations are:

- The impact on visual amenity and the character of the area
- The impact upon the operation and safety of the Highway
- Flooding, drainage and pollution
- Impact on air quality
- The impact on trees and ecology
- The impact on archaeology

Principle of the change of use of the land

- 5.2 The proposed use of the land is for vehicle storage but no information has been provided on what the storage would relate to. However, Local Plan Policy EC1 directs employment land and uses to within 'areas of search' and Policy EC2 to Main Employment Areas. The application site is not within either of these areas and so is not supported by the Local Plan employment policies. The site is within the Forge Wood neighbourhood where Policy CH1: Neighbourhood Principle applies. Policy CH1 states: *The 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. Development within neighbourhoods should be mainly residential, in keeping with the existing neighbourhood.*
- 5.3 The lawful use of the site is as an area of semi-natural open space within the Forge Wood Neighbourhood. The Built-Up Area Boundary (BUAB) is shown on the Local Plan Map and delineates the urban area from the urban/rural fringe and is subject to Policy CH9 of The Local Plan which seeks to maintain Crawley's compact nature and attractive setting. The BUAB has been drawn to include the Forge Wood Neighbourhood, a Key Housing Site allocated in Policy H2 of the Local Plan and identified on the Local Plan Map. The Forge Wood Neighbourhood has planning permission for 1900 dwellings. The application site is part of this planning permission ref. CR/2015/0552/NCC, is currently at an advanced stage in its implementation and is designated as woodland planting and grassland in the Site Wide Landscape Management Plan – Section 73 Master Plan Dec 2015. It is subject to condition 12 of CR/2015/0552/NCC.
- 5.4 The use of the site for vehicle storage is therefore not supported in principle as the site is needed as part of the Forge Wood Neighbourhood development and is therefore contrary to Policy H2 Key Housing Sites and CH1 Neighbourhood Principle.
- 5.5 Due to the uncertainty over what is being applied for it is necessary to also consider the proposal as an airport parking use. Should the site be used for airport parking (as it is used for currently without planning permission) it would also not be supported in principle for the reasons set out in paragraphs 5.1 – 5.4 above. In addition, Local Plan Policy GAT3 is the relevant policy for airport related parking, which states *"The Provision of additional or replacement airport parking will only be permitted within the airport boundary. All new proposals must be justified by a demonstrable need in the context of proposals for achieving a sustainable approach to surface transport access to the airport"*. The policy clearly states that all additional or replacement airport related car-parking must be on-airport. Given that the current position is that there is no lawful use of any of the site as a Gatwick related car park and the site is off airport, a planning application which proposes off-airport parking here is in direct conflict with the first sentence of Policy GAT3 – which was adopted after full consideration of relative sustainability of on and off airport parking. It is therefore considered that proposed airport related car-parking at this site which is not on airport, it is contrary to Local Plan policy GAT3, and is therefore unacceptable in this location outside the airport boundary.
- 5.6 In summary the principle of the proposed use for vehicle storage in this location is not acceptable being contrary to Crawley Local Plan policies EC1, EC2, CH1, and H2.
- 5.7 Should the site be used for off-airport parking the proposal would also be contrary to Local Plan Policy GAT3 in addition to the above policies.

The impact on visual amenity and the character of the area

- 5.8 Historic aerial photographs between 1947 and 2014 show the site as an open field with a grassland habitat and a belt of woodland on the eastern side. The site is now hardstanding and entirely devoid of vegetation. It is enclosed by a 2.4m high galvanised palisade fence. (Gatwick Stream runs along the eastern boundary and there is woodland to the east and west of the site with a belt of trees adjacent to the north of the site and beyond a newly built road and central parkland area to serve the Forge Wood neighbourhood.) The site is largely self-contained but is visible to wider views from the new housing to the north. The parked cars are therefore prominent in the wider landscape particularly in winter. An informal pathway runs through the woodland to the east along the Gatwick stream and the palisade fencing is visible from views from along the woodland path.

- 5.9 The application site has a specific purpose as an area of woodland planting and grassland within the Forge Wood Neighbourhood as set out in the Landscape Management Plan of CR/2015/0552/NCC. The objective of this area (A2) is to create and maintain a range of new woodland habitats and connect / infill areas of existing woodland; retain areas of rank grassland for the benefit of reptiles; and create new wildlife ponds for the benefit of amphibians and other wildlife. The Forge Wood Masterplan approved under CR/2015/0552/NCC shows grassland, ponds and woodland within the site boundaries of this application. It is clear therefore that this proposal is entirely inconsistent with the use of the site within the Forge Wood neighbourhood. A significant number of houses have been constructed close to the site within Forge Wood and a temporary permission of 5 years would immediately conflict with the permitted use of this site which should provide amenity and benefits for residents and ecology as intended. The continued use and its impact therefore conflicts with the aims of the Forge Wood Master Plan and Local Plan Policy to deliver a high quality neighbourhood development with an arrangement of open spaces and landscape features for the benefit of residents.
- 5.10 It is therefore considered that the proposal is harmful to visual amenity and the amenities of the surrounding area, inconsistent with the principles established for the Forge Wood neighbourhood and as such contrary to policies CH1, CH3 and H2 of the Crawley Borough Local Plan 2015 – 2030.

The impact upon the operation and safety of the Highway

- 5.11 Policy CH3 of the Local Plan requires development to meet the requirements necessary for their safe and proper use, in particular with regard to access circulation and manoeuvring, vehicle and cycle parking loading and unloading, and the storage and collection of waste. The NPPF states that development should only be prevented or refused on highway grounds where the residual cumulative impact of the development would result in any impact on the local highway network that could be considered severe.
- 5.12 The application proposes that the existing access, parking and turning arrangements would remain unchanged to serve the proposed development. Access would be shared with anglers who use the path that spurs off to the left of the entrance road to serve the fishing lakes.
- 5.13 The access to the site is from the A2011 Crawley Road, a dual carriageway with a 60mph speed limit. West Sussex County Council have been consulted and do not raise an objection. They consider that the access is suitable for vehicles to easily enter and exit the carriageway with good forward visibility and that the infrastructure already in place accommodates the proposed use. The impact upon the operation and safety of the highway is therefore considered to be acceptable.

Flooding, drainage and pollution

- 5.14 The Environment Agency have no objection to the application providing a condition is imposed that requires details of an 8m wide buffer zone alongside the watercourse is submitted to and agreed by the Local Planning Authority. This would be attached to any planning permission.
- 5.15 The site is wholly within an Environment Agency Zone 2 Flood Risk Area and parts of the eastern side of the site are within a Flood Zone 3b Flood Risk Area. The Gatwick Stream running along the eastern boundary of the site is identified by the Environment Agency as a major river. Policy ENV8: Development and Flood Risk requires that where the development location is situated in an area identified as being at risk of flooding, a Flood Risk Assessment is required that demonstrates how appropriate mitigation measures will be implemented as part of the development to ensure risk is made acceptable on site, and is not increased elsewhere as a result of the development.
- 5.16 A Flood Risk Assessment has not been submitted with this proposal. No information has been provided to indicate how the development mitigates potential increased flooding due to encroachment into the flood plain (and the potential need for compensatory storage), nor the increased rate of run off generated by the change of use from green field land to hardstanding (and the potential need to provide attenuation storage), and potential changes to flood routing caused by the development as a result of topographical changes. As no information has been provided as required by Policy ENV8, there is no certainty that the proposal is acceptable in relation to flood risk and is therefore considered contrary to that policy.

- 5.17 It is also noted by the Council's Ecological Advisor following a site visit, that the drainage from the car park into the stream is indicated by several pipes which is a concern as to the potential impact on the ecology of the watercourse from pollution from cars. As no information regarding drainage has been submitted there is no certainty that the proposal is (and would continue to) create an unacceptable risk from environmental pollution to the watercourse if this proposal were to be permitted. It is therefore considered that the proposal is contrary to Policy ENV10: Pollution Management and Land Contamination.

Impact on air quality

- 5.18 The proposed development is located adjacent to the Hazelwick Air Quality Management Area (AQMA) with its only access through the AQMA on Crawley Avenue, A2011. Policy ENV12: Air Quality states that proposals that do not result in a materially negative impact on air quality will normally be permitted. Where identified in Air Quality and Emissions Mitigation Guidance for Sussex (AQEMGS), development will be required to be supported by evidence detailing the air quality impact of the proposed development, and outlining an appropriate mitigation strategy that will be implemented to ensure that air quality is not materially worsened, and if where possible improved. The AQEMGS identifies that an air quality assessment is required for this development as it is a major application, it is adjacent to an AQMA and includes >100 vehicles, and there are other proposed developments in the vicinity which could have a cumulative effect on air quality. This is supported by the consultation response from Environmental Health which states that '*due to...the cumulative impact of development in the area, which may compromise the local authority's duties to improve air quality within the AQMA, I would recommend refusal of this application*'. The lack of air quality assessment or any consideration of air quality impacts or mitigation provides no certainty that there would not be a material negative impact on air quality. It is therefore considered that the proposal is not in accordance with Local Plan Policy ENV12: Air Quality.

The impact on trees and ecology

- 5.19 Local Plan Policy CH6: Tree Planting and Replacement Standards sets out the requirements for replacement trees to mitigate the visual impact resulting from the loss of tree canopies. Policy ENV2 Biodiversity states that habitat and species surveys and associated reports will be required to accompany planning applications which may affect Biodiversity Opportunity Areas. Proposals which would result in significant harm to biodiversity will be refused unless: this can be avoided by locating on an alternative site with less harmful impact; or ii. the harm can be adequately mitigated, or, as a last resort, compensated.
- 5.20 Crawley Borough Council aerial photography from 2014 shows a 15-20m belt of trees on the Eastern side of the Gatwick Stream that are within a Biodiversity Opportunity Area. Aerial photos from 2018 and the site visit photos for this application taken on 02/08/2018 show that these trees have been removed and that the fence boundary to this site has been placed 2-3m from the Gatwick Stream. The ecological report submitted with the application does not consider the removal of woodland and its replacement with hardstanding within the site. It is noted that the report describes the surrounding woodland as having '*high ecological value*' and *the potential to support a variety of different species such as bats and breeding birds*. In addition to the aerial photos it can therefore be reasonably assumed that this statement also applies to the adjacent woodland area that has been removed.
- 5.21 The submitted block plan proposes a 6m buffer into the site from the fence boundary and the design and access statement mentions planting native hedges within the proposed buffer area. This would result in a 8-9m buffer alongside the watercourse as required by the Environment Agency. However, given that a 15m-20m belt of mature trees has been removed to facilitate the existing unauthorised hardstanding which is part of this proposal, it is considered that the proposed buffer containing hedge planting is insufficient to mitigate the harm caused by the proposal from the loss of woodland habitat. The EA consultation response states that '*rather than simply a native hedgerow the development should seek to provide a more substantial buffer of habitat to the stream to protect the watercourse from disturbance and allow the watercourse to naturally function*'. It is noted by the Council's Ecological Advisor following a site visit that the drainage from the car park into the stream is indicated by several pipes which is a concern as to the potential impact on the ecology of the watercourse from car pollution.

- 5.22 The Council's Ecological Advisor has been consulted and has responded with updated comments following a site visit. The ecological advisor confirms having visited the site and viewed the photos of the woodland that there is a reasonable likelihood that the cleared woodland would have qualified as lowland mixed deciduous woodland, possibly grading to wet woodland, both of which are recognised as a Habitat of Principal Importance. Local Plan Policy ENV2 states that these areas '*will be conserved and enhanced where possible*'. The Ecological Advisor considers that the '*development would, if it were to remain in place, negatively impact biodiversity by preventing restoration (so far as practicable) of the habitats that have been removed as well as posing a risk to the biodiversity of the stream. As such, it would be contrary to local plan policy ENV2*'.
- 5.23 An ecological report has been submitted with the application which recommends reducing the noise and visual impacts upon the surrounding woodland by attaching either camouflage netting or a layered mesh to the fence. This netting/mesh should remain for the lifetime of the usage of the site and should be attached to the outside of the fence and could be secured via a planning condition.
- 5.24 With no details of replacement trees or sufficient ecological mitigation/compensation of the habitats that have been removed, it is considered that the proposal results in significant harm to biodiversity and loss of tree cover and is therefore contrary to Local Plan Policies CH6: Tree Planting and Replacement Standards and Policy ENV2: Biodiversity.

The impact on archaeology

- 5.25 The site is located within an archaeological notification area - Medieval Iron Working and Settlement Site. The Surrey County Council Heritage Conservation Team have been consulted and request that an archaeological desk based assessment which considers all available resources, including the impact of the retrospective planning application, is undertaken at the predetermination stage and submitted as part of the retrospective planning application. This requirement is set out in paragraph 189 of the NPPF. This has not been submitted by the applicant and therefore it is not possible to reach an informed judgment of the impact the proposal can be anticipated to have had on heritage assets of archaeological interest. The proposal is therefore contrary to Policy CH12 of the Local Plan.

6. CONCLUSIONS:-

- 6.1 The proposed development is designated as woodland planting and grassland in the Site Wide Landscape Management Plan – Section 73 Master Plan Dec 2015, condition 12 of CR/2015/0552/NCC. The use of the site for vehicle storage is therefore not supported in principle as the site is needed as part of the Forge Wood Neighbourhood development and is therefore contrary to Policy H2 Key Housing Sites and CH1 Neighbourhood Principle.
- 6.2 The proposal would be harmful to visual amenity and amenities of the surrounding area, inconsistent with the principles established for the Forge Wood neighbourhood and as such contrary to policies CH1, CH3 and H2 of the Crawley Borough Local Plan 2015 – 2030.
- 6.3 As no information has been provided as required by Policy ENV8 Development and Flood Risk there is no certainty that the proposal is acceptable in relation to flood risk and is therefore contrary to that policy.
- 6.4 The lack of air quality assessment or any consideration of air quality impacts or mitigation provides no certainty that there would not be a material negative impact and is therefore contrary to Local Plan Policy ENV12: Air Quality.
- 6.5 Considering that a 15m-20m belt of lowland mixed deciduous woodland, possibly grading to wet woodland, both of which are recognised as a Habitat of Principal Importance and 0.5ha of grassland has been removed and replaced with hardstanding/fencing, the proposal is likely to have caused significant harm to biodiversity and loss of tree cover contrary to Local Plan Policy CH6: Tree Planting and Replacement Standards and Policy ENV2 Biodiversity as no details of tree replacement or biodiversity mitigation/compensation has been proposed.

- 6.6 An archaeological desk based assessment has not been submitted as required. It is therefore not possible to reach an informed judgment of the impact the proposal can be anticipated to have had on heritage assets of archaeological interest. There is no certainty that key features or significance of a heritage asset has not been lost as a result of the development and therefore the proposal is contrary to Policy CH12 of the Local Plan.
- 6.7 A planning application which proposes airport parking off airport is in direct conflict with the first limb of Policy GAT3 as the policy requires airport parking to be on-airport.

RECOMMENDATION RE: CR/2018/0312/FUL

REFUSE - For the following reasons:-

1. The proposed development is designated as woodland planting and grassland in the Site Wide Landscape Management Plan – Section 73 Master Plan Dec 2015, condition 12 of CR/2015/0552/NCC. The proposed use of the site is therefore not supported in principle as the site is needed as part of the Forge Wood Neighbourhood development and is therefore contrary to Local Plan Policy H2 Key Housing Sites and Policy CH1 Neighbourhood Principle.
2. The proposal is and would be harmful to visual amenity and amenities of the surrounding area, inconsistent with the principles established for the Forge Wood Neighbourhood and as such contrary to policies CH1, CH3 and H2 of the Crawley Borough Local Plan 2015 – 2030.
3. The applicant has not demonstrated to the satisfaction of the Local Planning Authority that the proposal would not create an unacceptable risk of pollution to the watercourse caused by drainage from the site which would contain a large number of parked vehicles . The proposal is therefore contrary to Crawley Local Plan Policy ENV10: Pollution Management and Land Contamination.
4. The applicant has not demonstrated to the satisfaction of the Local Planning Authority how the development mitigates potential increased flooding on and off site caused by the installation of the hardstanding in the Environment Agency defined Zone 2 Flood Risk Area contrary to Crawley Borough Local Plan Policy ENV8: Development and Flood Risk.
5. The applicant has not demonstrated to the satisfaction of the Local Planning Authority that there would not be a material negative impact on air quality of the Air Quality Management Area contrary to Local Plan Policy ENV12: Air Quality.
6. A 15m-20m belt of lowland mixed deciduous woodland, possibly grading to wet woodland, both of which are recognised as a Habitat of Principal Importance and 0.5ha of grassland has been removed and replaced with hardstanding/fencing. No details of tree replacements or ecological mitigation/compensation has been provided and therefore the proposal has caused significant harm to biodiversity and loss of tree cover contrary to Local Plan Policy CH6: Tree Planting and Replacement Standards and Policy ENV2 Biodiversity.
7. The applicant has not demonstrated to the satisfaction of the Local Planning Authority that key features or significance of a heritage asset has not been harmed as a result of the implementation of the hardstanding contrary to Crawley Local Plan Policy CH12: Heritage Assets.
8. From the information submitted the site could be used for an off airport parking use and the land by virtue of its siting at an off-airport location is and would be an unsustainable location and contrary to policy GAT3 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

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

- Liaising the agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking 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.

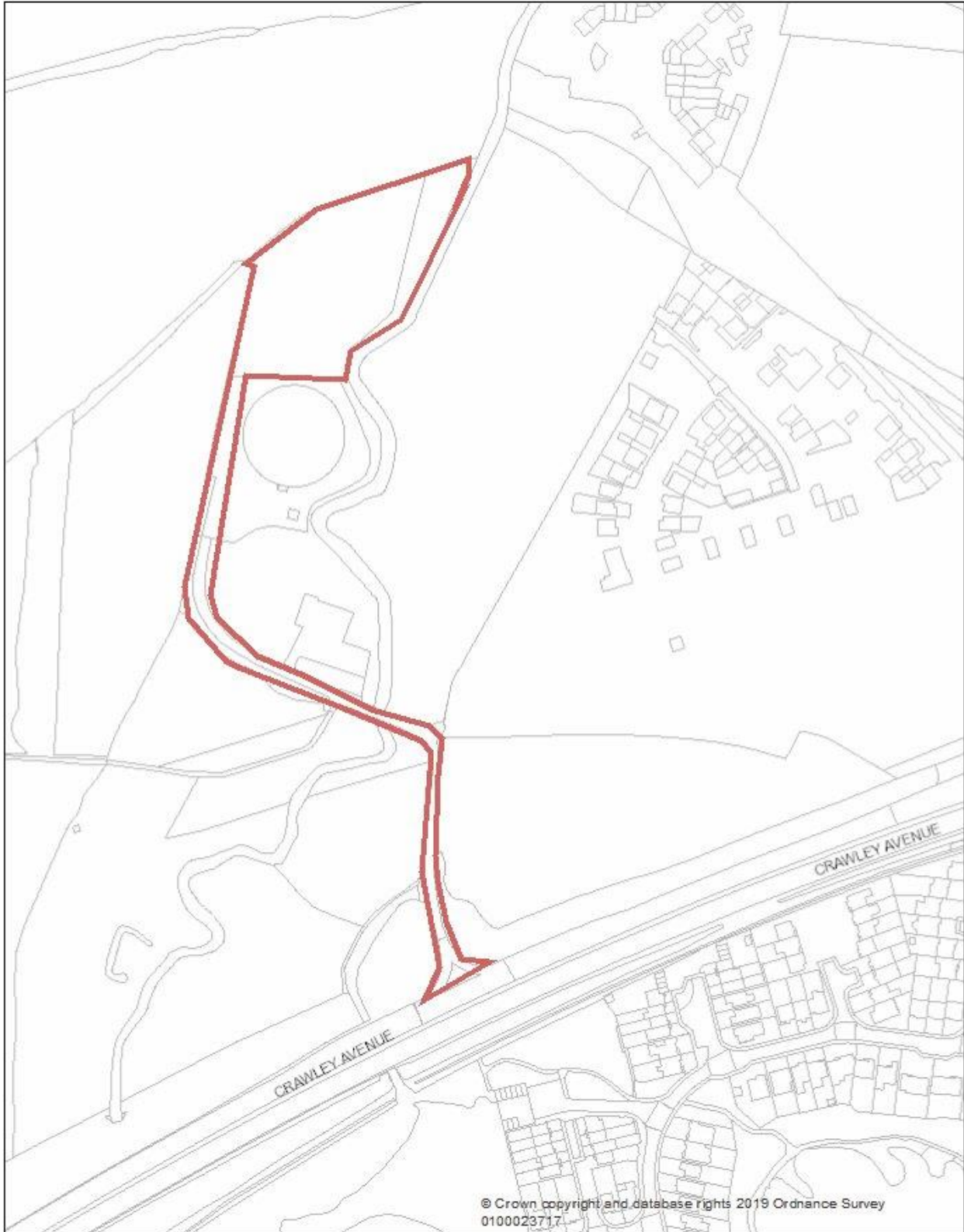


ArcGIS Web Map

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