

LOCATION: [UNITS XA1 & XA2, SUSSEX MANOR BUSINESS PARK, GATWICK ROAD, NORTHGATE, CRAWLEY](#)
WARD: Northgate & West Green
PROPOSAL: ERECTION OF FRONT AND REAR EXTENSIONS TO UNITS XA1/XA2 OF NYETIMBER LTD WINERY BUILDING

TARGET DECISION DATE: 7 November 2019

CASE OFFICER: Ms D. Angelopoulou

APPLICANTS NAME: Strutt and Parker
AGENTS NAME: Strutt and Parker

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
A300	S2-P1	Block Plan
A302	S2-P1	Location Plan
A108	S1-P1	First Floor Offices Showing Demolition
A103	S2-P1	Proposed Ground Floor Plan
A106	S2-P1	Proposed Roof Plan
A110	S2-P1	Proposed East Elevation
A112	S2-P1	Proposed West Elevation
A111	S2-P4	Proposed South Elevation
A113	S2-P1	Proposed North Elevation
LMSL/23/CWE/LM1	F	Landscape Masterplan & Parking
A100	P2	Existing Ground Floor Plan
A114	S1-P1	Existing East Elevation
A115	S1-P1	Existing South Elevation
A116	S1-P1	Existing West Elevation
A117	S1-P1	Existing North Elevation
A405	S4-P1	Layout of Existing Parking
A406	A1-C1	Existing Parking Arrangements
A407	S3-P	Proposed Parking Arrangements
19030-CFN-00-01-DR-M-2111	S2-P1	'Network ready' plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. GAL Aerodrome Safeguarding 2. Environment Agency 3. WSCC Highways
 4. National Air Traffic Services (NATS) 5. Thames Water 6. Sussex Building Control Partnership 7. Police 8. CBC Drainage Officer | <p>No objection subject to a condition and informative.
 No objection.
 No objection Following the submission of additional information regarding traffic movements;
 No safeguarding objection to the proposal.
 No objection subject to an informative.
 No response received.
 No objection but crime prevention advice provided.
 No objection However has raised concerns related to the lack of measures to improve the quality of water run-off from the site. A condition is recommended.</p> |
|--|---|

9. CBC Planning Arboricultural Officer	No objection.
10. UK Power Networks	No objection subject to an informative.
11. CBC Environment Team	No response received.
12. CBC Contaminated Land	No objection.
13. Crawley Cycle & Walking Forum	No objection.
14. Southern Water Ltd	No objection subject to an informative
15. CBC Energy Efficiency & Sustainability	No objection subject to conditions.
16. WSCC Lead Local Flood Authority	No response received.
17. CBC Manor Royal	No objection.
18. Gatwick Diamond Grow Group	No response received.
19. CBC Economic Development	No response received.
20. Manor Royal Business District	Support– comments & advice for the Reenergise Manor Royal Project.

NEIGHBOUR NOTIFICATIONS:-

The application has been advertised through an advert in the local press on 14/08/2019 and by site notices displayed at the site on 09/08/2019.

RESPONSES RECEIVED:-

None received.

REASON FOR REPORTING TO COMMITTEE:-

The application is ‘major’ development.

1. THE APPLICATION SITE:-

- 1.1 The application site measures 1.7 hectares and is located within the southern part of the Sussex Manor Business Park, accessed from Gatwick Road. The site is flat. It contains two attached industrial units (units XA1 and XA2) with mezzanine floors and two storey ancillary office accommodation to the front. The units comprise a total of 9,500sqm of floorspace. There is car and cycle parking at the front of the site, with servicing and parking areas to the eastern side and rear. Access to part of the front parking area is currently internally closed off with soft landscaping. The front boundary, adjacent to the highway, is marked by a 1.8m high metal fence, trees and hedges/shrubs.
- 1.2 The units are currently occupied by Nyetimber Ltd. As stated in the Planning Statement, the units are connected internally with unit XA2 used for the wine-making and bottling processes (B2 – General Industrial use), whilst XA1 is used to store the bottles before they are distributed for retail (B8 – storage or distribution use).
- 1.3 The application site lies within the Manor Royal Main Employment Area and is a Priority Area for District Energy Network as defined in the Crawley Borough Local Plan 2015-2030. The site is within the Long Distance View Splay from Target Hill identified by the Local Plan Policy CH8.
- 1.4 To the west of the site lies the Crawters Brook Park with dense vegetation and protected trees. To the east and north lie the other industrial units, that form part of the Sussex Manor Business Park. To the south are two pilot training and simulator production facilities (B1 and D1 uses) (2-3 Gatwick Road), and a 4-storey office building (No.4 Gatwick Road) occupied on the ground and first floor by South East Coast Ambulance Service as an Emergency Operating Centre and Head Quarters.

2. THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of front and rear extensions in order to accommodate Nyetimber Ltd's growing needs. The proposal would add 1688sqm of floorspace and would involve the demolition of a small area of the two storey ancillary office (approximately 500sqm in total – 250sqm on each floor).
- 2.2 The proposed front extension would measure 16m in length and 57m in width and would create additional floorspace for the storage of the bottles before distribution. It would leave a 3m gap to the north-western boundary. The proposed rear extension would measure 10m in length and 135m in width and would create additional floorspace for the wine-making and bottling process. At its closest point, it would retain a 4m gap to the southern boundary. The height and roof of the extensions would meet the roof of the existing building at its eaves, following the same pitch and dropping to an eaves height of 7.5m.
- 2.3 The proposed extensions would be constructed in materials to match the existing building; brick at the lower level, and sheet panels at the upper level. The proposed car parking arrangements would provide 18 'allocated spaces' at the front of the site and 50 spaces to the east of the building as overflow parking. Space to the south would be used for lorry/tanker turning and parking.
- 2.4 The following documents have been submitted in support of the application:
- Design and Access Statement
 - Planning Statement
 - Preliminary Ground Contamination Risk Assessment Report
 - Sustainability Statement
 - Drainage Strategy
 - Utilities Infrastructure Statement

3. PLANNING HISTORY:-

- 3.1 The original planning permissions for the Sussex Manor Business Park are:
- 3.2 CR/243/1985 – Erection of second phase of development of existing industrial premises for industrial, warehousing and office purposes together with service areas, landscaping, car parking and access thereto – Permitted.
- 3.3 CR/621/1988 – Erection of industrial and warehouse development (use classes B1 and B2) with ancillary offices and associated servicing and car parking – Permitted. Condition 9 of this permission restricts the use of the building to B1 and B2 uses only, and Condition 10 states that any office or storage accommodation shall be used at all times for purposes ancillary to the industrial use of the remainder of the site.
- 3.4 Other planning permissions of relevance in particular relation to the application site are:
- 3.5 Unit Xa1: CR/1991/0277/COU – Change of use of part from B2 (general industrial) to B8 (warehousing) – Permitted.
- 3.6 Units Xa2: CR/2001/0260/COU – Change of use of redundant existing production/warehouse building to retail use for car sales with ancillary offices – Permitted. The Planning Statement states in relation to this: *'We do not believe this application was implemented as we can find no evidence of the applicant, PG Motors (trading as Jeffries Farm), having ever been located at the site. When Nyetimber Ltd first occupied this site (towards the end of 2011), correspondence from an officer named Paul Fairham from March 2010, indicated that planning permission would not have been required for use of the units for the processing and fermenting of wine (use class B2). The storage and distribution of wine falls within use class B8, which is in accordance with the original permission (CR/621/88). Mr Fairham also confirmed in an email that he did not consider CR/2001/0260/COU to have ever been implemented.'*

4. PLANNING POLICY:-

National Planning Policy Framework (February 2019 as amended in June 2019)

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 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
- Section 6 – ‘Building a strong, competitive economy’ emphasises the need for the planning system to help create conditions where businesses can invest, expand and adapt in order to support the need for economic growth and productivity. 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 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 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 other 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 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.
- 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 over a wider area.
- Policy CH8: Important views. The Important Views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The site is within the Long Distance View Splay from Target Hill.
- Policy EC1: Sustainable Economic Growth. Crawley’s role as the key economic driver for the Gatwick Diamond will be protected and enhanced. To ensure that Crawley’s recognised economic role and function is maintained and enhanced the council will: i) Build upon and protect the established role of Manor Royal as the key business location (B Use Classes) for Crawley at the heart of the Gatwick Diamond; and ii) Ensure that the town’s Main Employment Areas are the focus for sustainable economic growth.

- Policy EC2: Economic Growth in Main Employment Areas. This Policy identifies Manor Royal as Main Employment Area and states that proposals for employment generating development will be supported where they contribute to the specific characteristics of the main employment area.
- Policy EC3: Manor Royal. Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.
- Policy ENV2: Biodiversity: All development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- Policy ENV6: Sustainable Design and Construction. Proposals for new non-domestic buildings should achieve BREEAM Excellent (for water and energy credits) where technically and financially viable.
- Policy ENV7: District Energy Networks (DEN). The development of district energy networks and associated infrastructure is encouraged and should be approved unless it results in significant adverse impacts on the environs. Manor Royal is identified as a priority area for delivery of a District Energy Network and the Policy requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- Policy ENV8: Development and Flood Risk. Development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV9: Tackling Water Stress. For non-residential development, where technically feasible and viable, development should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits. Should BREEAM be replaced, or any national standards increased, then this requirement will also be replaced by any tighter standard appropriate to an area of serious water stress. Applicants must demonstrate how they have achieved the requirements of this Policy within their Sustainability Statement, required by Policy ENV6.
- Policy ENV10: Pollution Management and Land Contamination. Where a site is known or suspected to be at risk from contaminants or materials that present a hazard to health, information must be provided detailing the methodology through which risks will be addressed, and ensuring the treatment and/or removal of all such contaminants and materials prior to the commencement of development.
- Policy ENV11: Development and Noise. People's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (as existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing and future users.
- 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 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.

4.3 The Local Plan Review 2020-2035 is at an early stage and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development.
- Policy CD2: Making Successful Places: Principles of Good Urban Design.
- Policy CD3: Local Character and Design of New Development.
- Policy CD4a: Effective Use of Land: Movement, Sustainability and Urban Form.
- Policy CD4b: Effective Use of Land: Layout, Scale, Appearance and Public Realm.
- Policy CD6: Normal Requirements of All New Development.
- Policy LC2: Important and Valued Views.
- Policy IN1: Infrastructure Provision.
- Policy EC1: Sustainable Economic Growth.
- Policy EC2: Economic Growth in Main Employment Areas.
- Policy EC9: Manor Royal.
- Policy GI1: Biodiversity and Net Gain.
- Policy SDC1: Sustainable Design and Construction.
- Policy SDC2: District Energy Networks.
- Policy SDC3: Tackling Water Stress.
- Policy EP1: Development and Flood Risk.
- Policy EP3: Pollution Management and Land Contamination.
- Policy EP4: Development and Noise.
- Policy ST1: Development and Requirements for Sustainable Transport.
- Policy ST2: Car and Cycle Parking Standards.

Supplementary Planning Documents (SPDs)

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

'Manor Royal Design Guide SPD (July 2013)

4.5 This document is also relevant and constitutes the planning guidance in relation to the Manor Royal Business District to ensure new development makes a significant contribution to the uplift of the area and secures of high quality development which supports the key business function. It provides details of potential improvement projects that could be delivered by a variety of landowners and agencies to enhance the wider public realm. In particular, it requires all development to demonstrate the following:

- New buildings to be of high quality design and urban design.
- Proposals seek to provide active frontages to routes.
- Materials and finishes of good quality and support the principles of identity and sustainability.
- Proposals to achieve a high level of security.
- Surface Water drainage considered.
- Water efficiency measures considered.
- The development must positively contribute to the landscape and identity of Manor Royal.

4.6 The document emphasises the importance of landscaping as a key consideration in creating a sense of place for Manor Royal and improving the quality of the public realm. This is through achieving robust and consistent frontages along Manor Royal to improve the quality of the environment. It requires parking and servicing to be adequate to meet the needs of the development and to consider landscaping and seek to reduce monotonous surfacing of parking areas. Boundary treatments must be appropriate in scale and context. Landscaping to reduce the visual impact of fences and barriers is encouraged.

Urban Design SPD (adopted October 2016)

4.7 The Urban Design SPD contains guidelines on the standards the Council expects for the public design highlighting in particular the importance of massing and materials, public realm, street design, parking and sustainable design. In addition, it states that applicants and developers are encouraged to consider all the end users that a development and any associated public realm will serve so as to strive to cater to all groups (children and young people, the elderly, disabled people etc).

- 4.8 In respect of non-residential development para 3.62 states:
“The layout of non-residential development is particularly important to their success. This should address the street and the public realm in a considerate manner and not turn their back on the existing streetscape and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric. Active frontages are particularly important to the vitality of the streetscape and the success of commercial and retail uses and should be incorporated within the design from the start”.
- 4.9 For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings to the street is encouraged along with opportunities to improve the urban environment and use landscaping.
- 4.10 It also includes in Annex 1 the Borough’s indicative minimum parking standards:
- For B8 warehousing uses the requirements are:
 - Car parking – 1 space per 100 sq m
 - Lorry parking – 1 space per 500 sq m
 - Disabled parking – 1 space or 5% total provision
 - Cycle parking – 1 space per 500 sq m for staff and 1 space per 1000 sq m for visitors
 - Motorcycle parking – 1 space per 10 car parking spaces.
 - For B2 industrial uses the requirements are:
 - Car parking – 1 space per 40 sq m
 - Lorry parking – 1 space per 500 sq m
 - Disabled parking – 1 space or 5% total provision
 - Cycle parking – 1 space per 200 sq m for staff and 1 space per 500 sq m for visitors
 - Motorcycle parking – 1 space per 10 car parking spaces.

Planning and Climate Change SPD (adopted October 2016):

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

Regulation 123 List (July 2016)

- 4.12 Regulation 123 of the CIL Regulations requires the council to publish a list of infrastructure that it intends to fund wholly or partly through CIL money. The purpose of the list is to distinguish between those types of infrastructure that the council intends to fund through CIL and those areas where a Section 106 Planning Agreement or S278 Highways Agreement will be sought. This will ensure that a developer/landowner is not charged twice for the same piece of infrastructure. As set out in the Regulation 123 list, Public Realm Improvements in Manor Royal would be sought via a S106 Agreement for site specific improvements.

Developer Contributions Guidance Note (published July 2016)

- 4.13 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. In this document, it is stated that where Manor Royal public realm improvements are sought in accordance with the Regulation 123 List, they will not exceed the level of £2 per square metre of development.

5. PLANNING CONSIDERATIONS:-

- 5.1 The proposal seeks planning permission for front and rear extensions to the existing units to intensify the use of the existing site, and therefore the proposal is consistent with Local Plan Policies EC2 and EC3 in this regard, and the relevant paragraphs of the NPPF to support business and sustainable economic growth. The principle of the development is therefore considered acceptable. The main planning issues in the determination of this application are:

- Design and appearance of the proposal, landscaping and impact on existing buildings, the street scene and the wider area
- Whether the development can meet its operational needs including access, the impact on the highway and parking
- The impact on amenity of neighbouring properties
- Drainage
- Trees
- Provision of Manor Royal Public Realm Contribution
- Sustainability
- Contaminated Land
- Gatwick Airport safeguarding

Design and appearance of the proposal, landscaping and impact on existing buildings, the street scene and the wider area

- 5.2 The application site is located at the western end of the Sussex Manor Business Park and is not widely visible in the public domain. It has industrial/office buildings to the north, east and south and Crawler's Brook Park to the west. It is situated at the end of the cul-de-sac.
- 5.3 The units are already large buildings in the locality, and the proposal involves significant extensions to the front and rear of the buildings. The proposal would leave a 3m gap to the front boundary and a gap of between 4-7m to the rear boundary. The gap to the front would allow space for additional landscaping. The existing shrub planting along the frontage is proposed to be removed and replaced with taller shrubs to form a hedge that would create a defensible edge to the site. The landscaping scheme has been revised to extend further to the west and would include new trees to create a solid landscaped frontage.
- 5.4 The proposed extensions would match the appearance of the existing buildings. Part of the existing brick two storey office to the front would be demolished and replaced by the front extension. The proposed extensions would be constructed in materials to match the existing building; brick at the lower level, and sheet panels at the upper level. The applicant submitted samples of these materials which are considered acceptable and it is recommended that they are secured though a condition. The height and roof of the extensions would meet the roof of the existing building at its eaves, following the same pitch, which is also considered acceptable and in accordance with the guidance included in the Urban Design SPD.
- 5.5 Given the location of the site at the end of cul-de-sac, the context of the surrounding large industrial units, the proposed landscaping scheme and matching external materials, it is considered that the proposal, whilst involving significant extensions to the existing buildings, it would not have an adverse impact on the streetscene and would sit comfortably within the surrounding employment area. It is therefore considered that the proposal would comply with the Policies CH3 and EC3, the Manor Royal Design Guide SPD and the Urban Design SPD.
- 5.6 The site is also within the Long Distance View Splay from Target Hill as identified by the Local Policy CH8. It is considered that the proposal in this location would not obstruct these views, given its proposed height relative to the existing building and the context of the surrounding buildings.
- 5.7 Overall, given the sites location, the character of the surrounding area and matching external materials, the proposal is considered to sit comfortably within the employment area as a whole and would not have a harmful adverse impact on the design and appearance of the existing buildings. The proposal, subject to conditions requiring matching materials and full implementation of the approved landscaping scheme, is considered acceptable and in accordance with the relevant Policies, the Manor Royal Design Guide SPD and the Urban Design SPD.

Whether the development can meet its operational needs including access, the impact on the highway and parking

- 5.8 No modifications are proposed to the existing access arrangements and the Local Highway Authority (LHA) is satisfied that this is acceptable. WSCC as the LHA requested some further information on

the traffic movements and having reviewed this additional information, they are satisfied that the proposal would not have severe residual impact from a capacity perspective.

- 5.9 The application site is located in a sustainable location close to existing bus and cycle facilities on Gatwick Road. The majority of Gatwick Road is subject to double yellow line waiting restrictions. The internally connected buildings are currently occupied by Nyetimber Ltd and during the site visit, it was noted that access to a number of the front parking spaces is closed off internally with soft landscaping. There were approx. 10 cars parked in front of the buildings and 2 tankers parked at the rear of the buildings. To the front there are covered cycle stands for 10 bikes.
- 5.10 Annex 1 of the Urban Design SPD contains the Borough's indicative minimum parking standards for B2 and B8. The front extension would create 1,077sqm to be used for storage of the bottles before distribution (B8 use) and the rear extension would create 1,139sqm for the wine-making and bottling process (B2 use). The office area to be demolished measures 528sqm. Based on the parking requirements included in the Urban Design SPD for B2 and B8 uses and the proposed floorspace for each use, the proposal would require additional 40 car parking spaces, and 8 cycle spaces for staff and 3 cycle spaces for visitors. Based on the submitted existing ground floor plan, the existing floorspace for B2 use is 3000sqm, for B8 is 6500sqm and the ancillary B1 office use is 950sqm, and therefore the minimum parking spaces for the existing use should have been 171 spaces, which is close to the originally approved 170 car parking spaces for the whole site. Therefore, the site with the proposed development would require 210 car parking spaces in total (170 existing + 40 additional) and 21 cycle spaces in total (10 existing +11 additional).
- 5.11 The proposal would have 18 car parking spaces along the northern elevation, would retain the existing 50 overflow car parking to the east with the space along the southern (rear) elevation for tanker and lorry parking. The existing covered cycle stands for 10 bikes would be retained.
- 5.12 The proposal would not therefore meet the required minimum car and cycle parking standards; 68 car parking spaces compared to 210 required car parking spaces, and 10 cycle spaces compared to 21 required cycle spaces. However, in this case the applicants have set out further information on their specific business model, number of employees and nature of the winery facility. The submitted Parking Supplementary Information states:

'There were originally 170 spaces associated with the unit as indicated on the existing parking plan (drawing: A405 S4-PO1). This included 50 spaces along the northern side of the building, 50 spaces along the eastern side and a further 70 spaces along the southern elevation.

With only 11 full-time staff at the site, and up to 30 seasonal workers, the need for parking by the current operator (Nyetimber Ltd) is much lower than what was originally provided with the building. The submitted Planning, Design and Access Statement referred to having 16 'allocated spaces', which reflects the total number of spaces at the front of the site that are currently accessible (the remaining 34 being permanently closed off) . The eastern side of the building continues to provide 50 spaces available for use by cars (although rarely required by Nyetimber), whilst the 70 spaces to the rear of the building (southern elevation) are never used by cars. This area is instead used for the parking of tankers parallel to the building. Enclosed drawing A406 A1-CO1 shows the current arrangements.

The proposed parking arrangements (as shown on the landscape masterplan - LMSL/23/CWE/LM1) will increase the number of accessible spaces along the northern elevation from 16 to 18. This will be sufficient for the 11 full-time staff and allows for a potential increase of a further 3 staff along with visitors. The 50 spaces along the eastern elevation will remain available as an overflow for parking with space to the south east corner for lorry and tanker turning. During the harvest season (September - October), Nyetimber car pool extra workers to the site. When operating at maximum capacity, there are still less than 50 staff on site. There is plenty of space in the overspill area around the sides of the building to accommodate this need. There will continue to be sufficient space for tankers to park along the southern elevation.

In conclusion, the proposed changes to the parking layout along the northern elevation would see a net increase in car parking available for use (from 16 to 18) with the eastern overflow parking and

southern tanker parking arrangements remaining the same. There would be an overall increase from 66 to 68 car spaces available.'

- 5.13 The applicant has also stated in their supporting information that they own the site and have decided to retain and enlarge the building rather than move to another site elsewhere to facilitate the expansion of their business. They stated that it is Nyetimber Ltd's intention to remain in the Sussex Manor Business Centre for many years to come.
- 5.14 Crawley Cycle & Walking Forum also accepted the above justification for making this application a special case regarding cycle parking and confirmed that they consider that the existing cycle parking provision would therefore be sufficient for the foreseeable future of the site.
- 5.15 It is therefore considered that due to the nature of the business proposed and the numbers of people attending the site, that the development would provide an acceptable level of car and cycle parking for the current user, in addition to its sustainable location and public transport opportunities available. As this is an operator-specific situation it is considered appropriate to ensure the user remains as Nyetimber Ltd and to achieve this there will be a requirement for a legal agreement. So that when they leave the site any future occupier will need to first have been agreed by the Local Planning Authority. The applicant has agreed to this obligation.
- 5.16 It is therefore considered that, subject to the conclusion of the legal agreement and subject to a condition to require car and cycle parking to be provided, the proposed development would be able to meet its own operational requirements in accordance with Policies CH3 and IN4 of the Local Plan.

The impact on amenity of neighbouring properties

- 5.17 The surrounding area is industrial and commercial in its nature and appearance. Immediate neighbours are therefore unlikely to suffer disturbance from the proposal. There are no residential dwellings in the near vicinity, it is therefore considered that the proposed development would not be detrimental to the amenities of neighbouring occupiers.

Drainage

- 5.18 A Drainage Strategy was submitted in support of the application. Local Plan Policy ENV8 (Development and Flood Risk) requires development proposals to avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- 5.19 A revised Drainage Strategy has been submitted including a section relating to Sustainable Urban Drainage Systems (SuDs). The Drainage Strategy states that the proposed extensions would have roof areas that would replace existing hardstanding areas and therefore the volume of water generated would be like for like. The existing development discharges into a large balancing pond, through which Crawter's Brook (an Environment Agency Major River) flows.
- 5.20 The Council's Drainage Officer was re-consulted and commented that the development addresses the quantity of the site water run-off into the balancing pond reducing the risk of flooding. However, he raised concerns over the fact that the development would result in an intensification in the use of the site and would need to have in place a system that also improves the water run-off quality from the site before discharging into the balancing pond in addition to ensuring there is not an increase in the run off rate.
- 5.21 The revised Drainage Strategy includes a SuDs section detailing the reasons why the assessed SuDS mitigating components are not suitable for use at this specific scheme that already has hardstanding areas (subsoils of clay content) with service areas for HGVs. The applicant commented that the only option to resolve this water quality issue is to construct a petrol interceptor, which however will further increase the carbon footprint of this SuDs scheme and will render the post development scheme holistically less sustainable than pre-development. It is not considered therefore that the proposal would improve the quality of water run-off from the site. Matters relating to water discharging into the adjacent Environment Agency Major River (Crawter's Brook) are ultimately however subject to a separate consenting regime controlled by the Environment Agency.

- 5.22 Paragraph of 183 of the NPPF states that: *'The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities.'*
- 5.23 The proposal has demonstrated that it would not increase the risk of flooding elsewhere. It is acknowledged that the Council's Drainage Officer has raised concerns over the quality of the water run-off and the applicants have considered options to address this. It is therefore clearly disappointing that the applicant has not proposed any apparent measures to improve the quality of water that would enter the adjacent water course (Crawter's Brook). However, it is considered that as there are separate pollution control regimes, such as Thames Water that would require a Trade Effluent Consent and Environment Agency that require consent to discharge to a stream, it is not considered reasonable to refuse this planning application on drainage/pollution grounds as it is considered on balance that the development is in accordance with paragraph 183 of the NPPF (2019).
- 5.24 It is therefore considered that, given that the proposal would not increase the risk of flooding, and pollution issues as with the existing use of the site would be subject to other consenting regimes, the development is on balance acceptable as regards drainage and flooding and would accord with the Local Plan Policies ENV8 and ENV10 and the relevant paragraphs of the NPPF.

Trees

- 5.25 The application site is adjacent to Crawter's Brook Park to the west, which contains dense vegetation and some protected trees. The Council's Arboriculture Officer considers that the development can be implemented without undue harm to these adjacent trees, as the proposed extensions would be constructed within the existing hard surfacing where root growth is likely to be minimal. The pruning of overhanging branches necessary to allow clearance for construction is likely to be minimal and within acceptable limits. The impact on trees is therefore considered to be acceptable.

Provision of Manor Royal Public Realm Contribution

- 5.26 In line with Policy IN1 and as set out in the Regulation 123 list (July 2016) and Developer Contributions Guidance Note, a Manor Royal Contribution is required to be secured through a S106 Agreement (based on a figure of £2 per sq m of new floorspace). The total contribution is £3,376 based on the net gross internal floorspace of 1,688sqm. The money would contribute towards either further improvements planned for the nearby Crawter's Brook People's Park or to the development of the Heritage Arts Trail to develop a network of connected "micro-parks" based on the history of the area, its businesses and employees. The applicant has agreed to make this contribution that would be secured through a legal agreement.

Sustainability

- 5.27 The development has considered sustainability measures within its design and sought to comply with Policies ENV6, ENV7 and ENV9.
- 5.28 The Council's Forward Planning Team commented that the submitted Sustainability Statement is detailed and thorough, and includes various proposed measures and approaches in accordance with Policy ENV6, such as the upgrading of the cooling system of the building.
- 5.29 In regard to the tackling water stress policy ENV9, the agent clarified that the only new water consuming components being fitted to the building are additional bib taps that would each have a maximum flow rate of 0.3l/s. As these bib taps are used for process cleaning it is not possible to reduce this flow rate and still perform their intended task correctly. On this basis, the proposal is considered acceptable in this regard.
- 5.30 Further information has been provided regarding the 'network ready' requirement of Policy ENV7 to enable the site to connect to a future District Energy Network in Manor Royal. The agent clarified that

blank connections would be provided on the flow and return pipework within the building for a future connection. In addition, space has been shown on the plans to be left for a plate heat exchanger to allow hydraulic separation between the two networks and allow metering of the coolth used. This is recommended to be secured by condition. The proposal is therefore considered to accord with the relevant Local Plan Policies, subject to the implementation condition.

Contaminated Land

- 5.31 The site is identified as being potentially contaminated. The applicant submitted a Preliminary Ground Contamination Risk Assessment Report that states that the preliminary contamination risk assessment has identified a potential pollutant linkage and makes some recommendations. The Council's Contaminated Land Officer raises no objection to the recommendations subject to an implementation condition to ensure the measures in it are implemented. The proposal is therefore considered acceptable in this regard.

Gatwick Airport safeguarding

- 5.32 Gatwick Airport Safeguarding and NATS have both commented on the application. NATS raises no objection. GAL Safeguarding raises no objection, subject to a condition for the submitted Bird Hazard Management Plan to be implemented, and a cranes informative. The Bird Hazard Management Plan is recommended to be controlled by a condition.

6. CONCLUSIONS:-

- 6.1 The proposed intensification of an existing employment use in the Manor Royal is supported in principle. The proposal, given its location, the context of the surrounding area, the proposed matching external materials and the amended landscaping plan, is considered to sit comfortably within the surrounding employment area as a whole and would not have a harmful adverse impact on the design and appearance of the existing buildings in accordance with the Urban Design SPD and the aspirations of the Manor Royal SPD. Given the applicant's business, the proposal would meet its operational needs and would not have a detrimental impact on neighbours' amenities, drainage, sustainability, trees and contaminated land.
- 6.2 For the reasons outlined above, the application would accord with the relevant NPPF policies, the Local Plan policies, the Urban Design SPD and the Manor Royal SPD. It is therefore recommended that the scheme is granted planning permission subject to the recommended conditions and the conclusion of a Section 106 Agreement to secure the Manor Royal Public Realm Contribution and operator-specific requirement.

RECOMMENDATION RE: CR/2019/0456/FUL

PERMIT - Subject to the conclusion of a Section 106 agreement to secure the specific operator, Nyetimber Ltd, and financial contributions of £3,376 for the Manor Royal Public Realm Contribution, and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details and samples associated with the application as detailed below:
- Brick Trafford Multi Rustic.
- Panel 40mm Tat Trisomet in Honesty colour RAL 1015.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

4. The Bird Hazard Management Plan dated 24 September 2019 shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to manage the roof in order to mitigate bird hazard and avoid endangering the safe movements of aircraft and the operation of Gatwick Airport through the attractiveness of birds in accordance with Policies CH3, IN1 and IN3 of the Crawley Borough Local Plan 2015-2030.
5. The soft landscaping scheme of the development hereby approved shall be implemented in accordance with the approved landscape proposals associated with the application.
REASON: In the interests of amenity and of the environment of the development in accordance with Policies CH3 and EC3 of the Crawley Borough Local Plan 2015 - 2030.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with Policies CH3 and EC3 of the Crawley Borough Local Plan 2015 - 2030.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking and re-enacting that Order, the units shall not be extended or altered in any way without the prior, express planning permission of the Local Planning Authority.
REASON: In the interests of highway safety and to protect the functionality of the Manor Royal Main Employment Area due to the parking shortfall against the Council's adopted car parking standards and in accordance with Policies EC1, EC2, EC3, CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
8. No part of the extensions hereby permitted shall be brought into use until the car and cycle parking has been constructed in accordance with the approved plans. These spaces shall thereafter be retained at all times for their designated purpose.
REASON: To ensure that adequate and satisfactory provision is made for the parking and manoeuvring of vehicles and bikes clear of all highways in accordance with Policies CH3 and IN4 of the Crawley Local Plan 2015-2030 and the parking standards set out in the Urban Design Supplementary Planning Document.
9. The works for the development hereby approved shall only be undertaken in accordance with the Drainage Strategy Revision P1 Risk provided by Crofton Consulting and dated 16th October 2019.
REASON: To reduce the risk of flooding in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
10. The works for the development hereby approved shall only be undertaken in accordance with the Preliminary Ground Contamination Risk Assessment Report referenced R13571 provided by Ashdown Site Investigation Limited and dated 18th March 2019.
REASON: To safeguard future occupants of the site in accordance with Policies CH3 and ENV10 of the Crawley Borough Local Plan 2015-2030.
11. The new extensions hereby permitted shall not be brought into use until the proposed measures detailed in the submitted Sustainability Statement dated May 2019 have been implemented, unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030.
12. Before the use of of the extensions hereby permitted commences, measures to enable the development to be 'network ready' in the event that a District Energy Scheme is delivered in the vicinity shall be implemented in accordance with drawing no.19030-CFN-00-01-DR-M-2111 RevS2-P1 unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of environmental sustainability in accordance with Policy ENV7 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE(S)

1. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com. The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at www.aoa.org.uk/policy-campaigns/operations-safety/
2. The applicant's attention is drawn to the advice provided by Thames Water in their correspondence of 15th August 2019 stating the following:

'There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planningyour-development/Working-near-or-diverting-our-pipes>.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes -toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent. Applications should be made at <https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent> or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.'

3. The applicant's attention is drawn to the advice provided by UK Power Networks in their correspondence of 9th August 2019 stating the following:

'The proposed development is in close proximity to our substation(s) and have the following observations to make:

If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.

A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying.

In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

1.The distance between buildings and substations should be greater than seven metres or as far as is practically possible.

2.Care should be taken to ensure that footings of new buildings are kept separated from substation structures.

3.If noise attenuation methods are found to be necessary we would expect to recover our costs from the developer.

Other points to note:

4.UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.

5.The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.

6.No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.

7.There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

8.All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.

Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.'

4. A formal application for connection to the water supply is required in order to service this development. Please read our New Connections Services Charging Arrangements documents which has now been published and is available to read on our website via the following link <https://beta.southernwater.co.uk/infrastructure-charges>
For further advice, please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119), www.southernwater.co.uk or by email at developerservices@southernwater.co.uk

5. The applicant's attention is drawn to the advice provided by Manor Royal Business District in their correspondence of 9th August 2019 stating the following:
'The applicant/tenant should have due regard for the ReEnergise Manor Royal Project and to engage with that initiative - a partnership involving West Sussex County Council, Crawley Borough Council and the Manor Royal BID - to generate energy onsite from renewable sources (which encompasses the District Heat Network project). Engagement with ReEnergise Manor Royal could benefit the applicants/tenants ambitions to be energy efficient and reduce their carbon footprint.'

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.

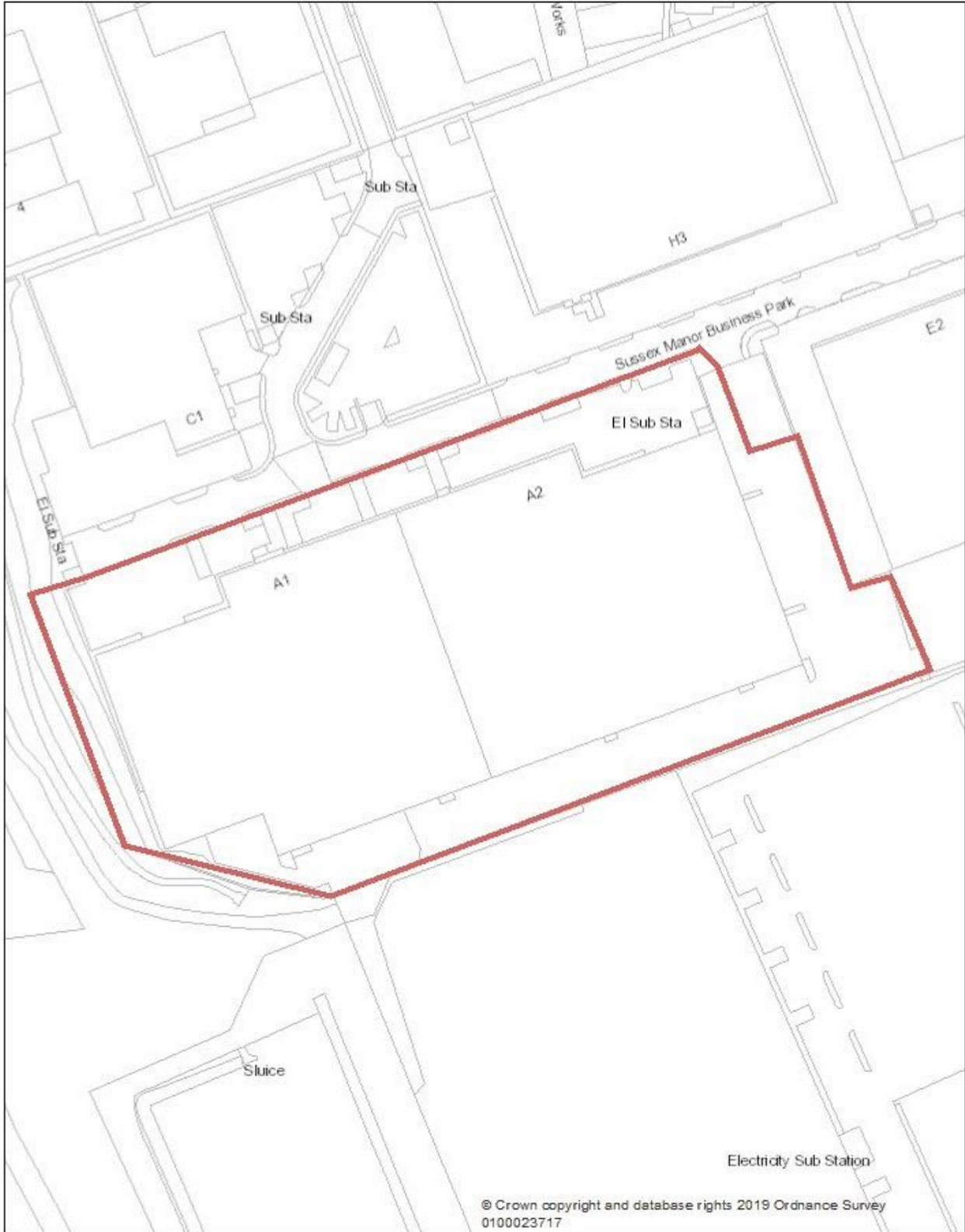


ArcGIS Web Map

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



1:1,250



Electricity Sub Station
© Crown copyright and database rights 2019 Ordnance Survey
0100023717