

LOCATION: [MOKA, STATION WAY, NORTHGATE, CRAWLEY](#)
WARD: Three Bridges
PROPOSAL: DEMOLITION OF EXISTING NIGHTCLUB AND REDEVELOPMENT OF SITE PROVIDING 152 APARTMENTS, GROUND FLOOR COMMERCIAL/RETAIL SPACE (CLASS A1, A3, A4, B1 AND/OR D2 USES) SPLIT BETWEEN 2 TO 4 UNITS, NEW PUBLICLY ACCESSIBLE PUBLIC REALM (INCLUDING POCKET PARK), NEW PUBLICLY ACCESSIBLE ELECTRIC VEHICLE CHARGING HUB, CAR CLUB AND ASSOCIATED WORKS

TARGET DECISION DATE: 30 October 2019

CASE OFFICER: Mr H. Walke

APPLICANTS NAME: Mr G Gallagher

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
CNC01-MCB-XX-SI-DR-A-0100-D5	P4	Site Location Plan
CNC01-MCB-XX-SI-DR-A-0101-D5	P5	Proposed Site Block Plan
CNC01-MCB-XX-SI-DR-A-0103-D5	P4	Site Demolition Plan
CNC01-MCB-XX-SI-DR-A-0102-D5	P4	Existing Topographical Survey Plan
CNC01-MCB-XX-ZZ-DR-A-0105-D5	P1	Existing Elevations
CNC01-MCB-XX-ZZ-DR-A-0106-D5	P1	Existing Elevations
CNC01-MCB-XX-00-DR-A-0105-D5	P1	Existing Ground Floor Plan
CNC01-MCB-XX-01-DR-A-0105-D5	P1	Existing First Floor Plan
CNC01-MCB-XX-02-DR-A-0105-D5	P2	Existing Mezzanine Floor Plan
CNC01-MCB-XX-ZZ-DR-A-0160-D5	P5	Proposed Apartment Type A (1 bed x 2 person)
CNC01-MCB-XX-ZZ-DR-A-0161-D5	P5	Proposed Apartment Type B (2 bed x 4 person)
CNC01-MCB-XX-ZZ-DR-A-0162-D5	P5	Proposed Apartment Type C (3 bed x 5 person)
CNC01-MCB-XX-ZZ-SH-A-0165-D5	P9	Proposed Apartment Type Schedule
CNC01-MCB-XX-ZZ-DR-A-0121-D5	P12	Proposed Elevations South & West
CNC01-MCB-XX-ZZ-DR-A-0120-D5	P12	Proposed Elevations North & East
CNC01-MCB-XX-ZZ-VS-A-0121-D5	P4	Proposed Elevations Rendered South & West

CNC01-MCB-XX-ZZ-VS-A-0120-D5	P4	Proposed Elevations Rendered North & East
CNC01-MCB-XX-SI-DR-A-0110-D5	P17	Proposed Site Plan & Ground Floor Plan
CNC01-MCB-XX-01-DR-A-0110-D5	P6	Proposed Floor Plan Level 01
CNC01-MCB-XX-02-DR-A-0110-D5	P9	Proposed Floor Plan Level 02
CNC01-MCB-XX-ZZ-DR-A-0110-D5	P6	Proposed Floor Plan Levels 03 - 07
CNC01-MCB-XX-08-DR-A-0110-D5	P9	Proposed Floor Plan Level 08
CNC01-MCB-XX-09-DR-A-0110-D5	P10	Proposed Floor Plan Level 09
CNC01-MCB-XX-10-DR-A-0110-D5	P10	Proposed Floor Plan Level 10
CNC01-MCB-XX-11-DR-A-0110-D5	P7	Proposed Roof Plan
CNC01-MCB-XX-ZZ-DR-A-0150-D5	P11	Proposed GA Sections A-A, B-B
CNC01-MCB-XX-ZZ-DR-A-0151-D5	P11	Proposed GA Sections C-C, D-D
CNC01-MCB-XX-ZZ-DR-A-0180-D5	P7	Proposed GEA Area Calculation
CNC01-MCB-XX-ZZ-DR-A-0181-D5	P7	Proposed GIA Area Calculation
ALA523-ALA-00-XX-DR-L-0001 S2	P08	Landscape General Arrangement - Ground Floor/Level
ALA523-ALA-00-XX-DR-L-0002 S2	P08	Landscape General Arrangement - Roof Terrace
ALA523-ALA-00-XX-DR-L-0003 S2	P06	Landscape Illustrative Masterplan - Ground Floor
ALA523-ALA-00-XX-DR-L-0004 S2	P06	Landscape Illustrative Masterplan - Roof Terrace
CNC01-MCB-SI-00-DR-E-0200-S2	P03	Site Plan/Existing Utility Services Overlayed Onto Proposed Building Layout

CONSULTEE NOTIFICATIONS & RESPONSES:-

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| 1. | GAL Aerodrome Safeguarding | No objection subject to conditions |
| 2. | Network Rail | No objection but comments provided |
| 3. | Environment Agency | No objection subject to conditions |
| 4. | WSCC Highways | Comments provided |
| 5. | National Air Traffic Services (NATS) | No safeguarding objection |
| 6. | Thames Water | No objection subject to conditions |
| 7. | Sussex Building Control Partnership | No response received |
| 8. | Sussex Police | Comments provided |
| 9. | CBC Drainage Officer | No objection |
| 10. | CBC Housing Enabling & Development Manager | No response received |
| 11. | CBC Planning Arboricultural Officer | Comments provided |
| 12. | UK Power Networks | No response received |
| 13. | CBC Environment Team | No response received |
| 14. | CBC Contaminated Land | No response received |
| 15. | CBC Environmental Health | Comments awaited |
| 16. | Crawley Cycle & Walking Forum | Comments provided |
| 17. | CBC Refuse & Recycling Team | Comments provided |
| 18. | Southern Water Ltd | No response received |
| 19. | CBC Energy Efficiency & Sustainability | Comments provided |
| 20. | CBC Retail & Employment | No objections |
| 21. | CBC Urban Design | Comments provided |

22.	Ecology Officer	No response received
23.	WSCC Lead Local Flood Authority	No objection subject to conditions
24.	CBC Housing	No response
25.	CBC Env Health (AQMA)	No response received
26.	NHS Crawley Clinical Commissioning Group	Comments provided
27.	CBC Economic Development	No response received
28.	WSCC Fire & Rescue	No response received

NEIGHBOUR NOTIFICATIONS:-

Longley House - Trustees Of Scotia Aid Sierra Leone, Office 8 2nd Floor Building 1, Office 2 2nd Floor Building 1, Office 6 2nd Floor Building 1, Office 4 2nd Floor Building 1, Home Start Crawley Horsham and Mid Sussex, St John Ambulance, Starleen Investments Ltd, Office 7 2nd Floor Building 1, Corporate Technical Management Ltd, Ce Consulting Empresarial Ltd, Agile Media Ltd, Office 3 2nd Floor Building 1, Office 5 2nd Floor Building 1.

Belmont House - Irwin Mitchell.

Crawley Station Crawley Railway Station.

Arora Hotel.

A site notice was displayed at the site on 5 August 2019, with an expiry date of 27 August. A press notice was published on 7 August 2019, which expired on 29 August.

RESPONSES RECEIVED:-

Fourteen consultation responses have been received on the application. Most raise either no objection or express support for the scheme. Support is offered on the grounds that the scheme would deliver new homes, remove the existing unattractive Moka building, improve the environment and initial impressions of Crawley and would involve the reuse of brownfield site.

One objection was received recommending refusal on the grounds of the tenure mix, the lack of any social or intermediate housing, inadequate car parking and loss of the nightclub and the impact upon the town's night time economy. Two responses express concern about the proposal's height, one states that the Council should help Moka find an alternative site and one states that overdevelopment in the town centre should be avoided.

REASON FOR REPORTING TO COMMITTEE:-

This is a major application.

THE APPLICATION SITE:-

- 1.1 The application site contains a substantial, purpose built nightclub and related access and car park. The building has blue cladding materials and a projecting canopy to the front. Nightclubs are a sui generis use. The nightclub building contains two floors and has a maximum height of around 18 metres. The area to the east of the nightclub site contains a number of mature trees which are protected by a Tree Preservation Order (ref 07/2017). There are vehicular accesses at the centre of the site's Station Way frontage and close to the western boundary. The car park is situated in the northern part of the site.
- 1.2 The site lies immediately north of the railway line and to the east of Crawley Station and its car park. Network Rail has a rail access point between the nightclub building and the railway. To the east of the application site is a four storey office building, Belmont House, which is currently occupied by Irwin Mitchell. County Mall, which is within the defined Primary Shopping Area, is situated on the opposite side of Station Way. South of the railway at this point are the Arora Hotel and Longley House.
- 1.3 The site lies within the defined Town Centre Boundary. The railway is identified on Council records as potentially contaminated and the site lies partially within the 10 metre wide railway buffer. Overline House and land further west is identified as a Development Opportunity in the Local Plan.

- 1.4 The site lies within a Priority Area for a District Energy Network. There are areas of Structural Landscaping to the east and south-east along Southgate Avenue.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the demolition of the existing nightclub building and redevelopment of the site to form a part eleven/part nine storey L-shaped building. The building would contain ground floor retail or commercial uses divided into at least two units and a total of 152 flats on the upper floors. The flats would be accessed through a pedestrian lobby and lift/stair core in the corner of the building facing the proposed pocket park. There would be a recycling/refuse store within the ground floor, opening out onto a service access to the east of the building.
- 2.2 The materials proposed are red/brown brick for the eleven storey element and grey brick for the nine storey element where they front Station Way. To the south and east elevations, off-white render is proposed. There would be silver aluminium cladding for the top floor across the building and curtain wall glazing and louvred openings to ground and first floor elements. A roof terrace for residents is proposed above the nine storey, western element of the building. Solar panels are proposed on the roof.
- 2.3 For the residential element, 121 one bedroom flats, 28 two bedroom flats and 3 three bedroom flats are proposed.
- 2.4 The potential commercial uses proposed are retail (A1), financial and professional services (A2), restaurants and cafes (A3), drinking establishments (A4), hot food takeaways (A5), offices (B1) or assembly and leisure (D2). The plans indicate that this would be divided into two to four retail/commercial units. The total commercial floorspace proposed is approximately 650 square metres.
- 2.5 A car parking area is proposed to the east of the building, accessed from the existing central vehicular access. It would provide 16 car parking spaces and 4 motorcycle spaces. The car parking spaces would all have electric vehicle charging points. The applicant states that they have an agreement with Bluecity to operate an electric vehicle car club, initially with five cars, from the car park. The car club would be open to residents of the flats and also other members of the public. Two new substations are proposed adjacent to the car parking area. Within the ground floor, a cycle storage room for 183 cycles would be located. Motorcycle parking would be provided to the east of the building. There would be a service bay located to the front of the site.
- 2.6 In the north-west corner of the site, a pocket park is proposed outside the retail/commercial units. Space for parking a further 28 cycles would be located in the pocket park area.
- 2.7 In support of the application, the applicant has submitted:
- Design and Access Statement
 - Planning Statement
 - Viability Study
 - Townscape and Visual Impact Assessment
 - Transport Statement
 - Stage 1 Road Safety Audit
 - Framework Travel Plan – Residential and Commercial/Retail
 - Economic Statement
 - Internal Daylight, Sunlight and Overshadowing Report
 - Energy and Sustainability Strategy
 - Air Quality Assessment
 - Noise and Vibration Assessment
 - Arboricultural Report
 - Preliminary Ecological Appraisal and Preliminary Bat Roost Assessment
 - Phase 2 Bat Survey Report
 - Bird Hazard Advice Note
 - Aviation Impact Assessment

- Flood Risk Assessment and Drainage Strategy
- Utilities Report
- Design Fire Safety Strategy

- 2.8 Following consultation responses received and discussions with officers, revised versions of the Travel Plans and Bird Hazard Management Plan have been submitted, along with a Road Safety Audit Exception Report and Rail Traffic Attraction Note. The applicant has also submitted an additional Acoustic Technical Note.
- 2.9 Revised elevation and floorplan drawings have also been submitted, again following discussions with officers on various design matters.
- 2.10 On 23 August 2019, a Screening Opinion confirming that the Local Planning Authority did not consider that Environmental Impact Assessment was required was issued.

PLANNING HISTORY:-

- 3.1 There are no previous planning applications of direct relevance to the current proposal, but the following sets out the planning history relating to the nightclub use.

CR/2013/0170/FUL – Retrospective application for installation of ATM. Approved 5 June 2013.

CR/2012/0239/FUL – Erection of gates and additional timber screen and repainting of low level render. Approved 26 June 2012.

CR/2008/0259/FUL – Erection of 2 smoking areas with fencing. Approved 25 September 2008.

CR/2006/0084/FUL – Refurbishment of existing elevations with new balconies to rear elevation and provision of new landscaping and bollards. Approved 6 April 2006.

CR/2005/0791/FUL – Refurbishment of existing premises and erection of balcony to rear elevations. Refused on noise grounds 23 December 2005.

CR/1998/0740/FUL – Erection of maintenance workshop on vacant land at rear of premises. Approved 23 December 1998.

CR/1996/032/FUL – Erection of 2No. nightclubs/discotheque with associated parking, servicing and external landscaping. Approved 8 January 1997.

- 3.2 A number of other Advertisement Consent applications have been submitted for the nightclub building over the years.

PLANNING POLICY:-

National Planning Policy Framework (NPPF)

- 4.1 The updated 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 5 – ‘Delivering a sufficient supply of homes’ emphasises the need for the planning system to deliver a sufficient supply of homes including affordable housing and the need for LPA’s to maintain and monitor the supply of housing against its housing requirement.

Paragraph 64 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

- a) provides solely for Build to Rent homes;
 - b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
 - c) is proposed to be developed by people who wish to build or commission their own homes; or
 - d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- 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 8 – ‘Promoting healthy and safe communities’ seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible so that crime and disorder and fear of crime do not undermine quality of life and enable and support healthy lifestyles. Planning policies and decisions should promote public safety and take into account wider security (and defence) requirements.
 - Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations. Paragraph 110 states that applications for development should give priority first to pedestrian, cycle and public transport movements, address the need of people with disabilities in relation to all transport, create safe, secure and attractive places avoiding conflict between different transport users, allow for efficient delivery of goods, and access by service and emergency vehicles and be designed to enable charging of plug-in vehicles.
 - Section 11 – ‘Making effective use of land’ states in paragraph 117 that ‘*Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions*’. The redevelopment of underutilised land and buildings is encouraged, and LPA’s should take a positive approach to alternative uses of currently developed land which is not allocated for a specific purpose to meet identified development needs. Paragraphs 122 and 123 seek to ensure efficient use though achieving appropriate densities on each site.
 - Section 12 - ‘Well designed places’ states that good design is a key aspect of sustainable development and that the planning and development process should achieve the creation of high quality buildings and places. Paragraph 127 states:
“Planning policies and decisions should ensure that developments:
 - a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

- Section 15 – Conserving and Enhancing the Natural Environment. Paragraph 180 states that planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life.

Crawley Borough Local Plan 2015-2030

4.2 The following policies from the Crawley Borough Local Plan (adopted December 2015) are most relevant to the proposal.

- Policy SD1 (Presumption in favour of Sustainable Development) in line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.
- Policy CH2 (Principles of Good Urban Design) states that in order to assist in the creation, retention or enhancement of successful places. In particular development proposals will be required to:

“(a) respond to and reinforce locally distinctive patterns of development and landscape character and to protect and/or enhance heritage assets,

(b) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas,

(c) create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society including disabled and elderly people,

(d) make places that connect with each other and are easy to move through,

(e) provide recognisable routes, intersections and landmarks to help people find their way around,

(f) consider flexible development forms that can respond to changing social, technological and economic conditions,

(g) provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs”.

- Policy CH3 (Normal Requirements of All New Development) states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site.
- Policy 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 CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents. New dwellings should, as a minimum, meet the nationally described space standards in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings. Residential developments should be designed to include amenity space standards adequate to meet basic privacy, amenity and usability requirements.
- Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- Policy CH8 (Important views) requires that 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 Tilgate Park.

- 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 EC6 (Development Sites within the Town Centre Boundary) states that sites within the Town Centre Boundary provide an important opportunity to promote town centre viability in a sustainable location through mixed use development that meets the economic and housing needs of the borough.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs, ensuring that town-cramming or unacceptable impact on the planned character or neighbourhoods or residential amenity do not result.
- Policy H2 (Key Housing Sites) this policy demonstrates how the Local Plan makes provision for the delivery of a minimum of 5100 net additional dwellings in the borough between 2015 and 2030. This Policy encourages residential uses in the town centre, identifying the area as a broad location for housing.
- Policy H3: Future Housing Mix. All housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme. However, consideration should be given to the evidence established in the Strategic Housing Market Assessment and its updates for market housing needs and demand in Crawley.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first- time buyers.
- Policy ENV2: Biodiversity: All development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- Policy ENV5: Provision of Open Space and Recreational Facilities. The impact of the increased population from residential development on open space and recreational facilities across the Borough will be mitigated by the use of the Community Infrastructure Levy which will be used to enhance existing areas of open space. This Policy requires development to make provision for open space and recreational facilities.
- Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.
- Policy ENV7 (District Energy Networks) requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- Policy ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- 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) advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.

- Policy IN1: Infrastructure Provision. Development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed and connected to high quality communications infrastructure.
- Policy IN3 (Development and Requirements for Sustainable Transport) advises that 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. Developments should meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety.
- Policy IN4 (Car and Cycle Parking Standards) states that 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 standards.
- Policy IN6 (Improving Rail Stations) expects developments at or within the vicinity of railway stations to enhance the role of the station. For Crawley station, the policy seeks to support the role as a major gateway to the town centre and to improve integration with the shopping area and bus station.

4.3 The Local Plan Review 2020-2035 is under consultation and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CD1: Neighbourhood Principle
- Policy CD2: Making Successful Places: Principle 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 CD5: Local Design Standards
- Policy CD6: Normal Requirements of All New Development
- Policy CD7: Aerodrome Safeguarding
- Policy CD10: Inclusive Design
- Policy CD11: Standards for All New Dwellings (including conversions)
- Policy LC2: Important and Valued Views
- Policy LC3: Tree and Landscape Character Planting
- Policy LC4: Tree Replacement Standards
- Policy OS2: Provision of Open Space and Recreational Facilities
- Policy IN1: Infrastructure Provision
- Policy IN3: Supporting High Quality Communications
- Policy EC1: Sustainable Economic Growth
- Policy EC2: Employment Growth in Main Employment Areas
- Policy EC5: Night Time Economy
- Policy TC2: Town Centre Neighbourhood Facilities
- Policy TC3: Development Sites within the Town Centre Boundary
- Policy TC4: Active and Engaging Frontages
- Policy TC5: Town Centre First
- Policy H1: Housing Provision
- Policy H3: Housing Typologies
- Policy H3d: Town Centre Sites
- Policy H4: Future Housing Mix
- Policy H5: Affordable Housing
- Policy GI1: Green Infrastructure
- Policy GI2: 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 Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

Supplementary Planning Guidance and Documents

4.4 The Council's following Supplementary Planning Documents and Guidance Notes are also relevant to this application:

- Planning and Climate Change (adopted October 2016) – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.
- Urban Design (adopted October 2016) – With specific reference to Crawley's character, the SPD addresses in more detail the seven key principles of good urban design identified in Local Plan Policy CH2. The principles cover Character, Continuity and Enclosure, Quality of the Public Realm, Ease of Movement, Legibility, Adaptability and Diversity. The document also sets out the car and cycle parking standards for the Borough.
- Green Infrastructure (adopted October 2016) – Sets out the Council's approach to trees, open space and biodiversity. It also includes the justification and calculations for tree replacement and new tree planting under Policy CH6. A contribution of £700 per tree is sought for each new dwelling and to cover net tree loss.
- Town Centre (adopted October 2016) – Supports regeneration and development to promote the economic growth, vitality and viability of the town centre, which forms a sustainable location for development. In this case, the site is not specifically allocated but is situated adjacent to the Station Gateway site.
- Developer Contributions Guidance Note (adopted July 2016) Following the introduction of the Community Infrastructure Levy, this guidance note sets out the Council's approach to securing contributions towards infrastructure provision.
- Affordable Housing (adopted November 2017) – This SPD includes further guidance on affordable housing policies within the Local Plan.

Community Infrastructure Levy

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

PLANNING CONSIDERATIONS:-

5.1 The application seeks full planning permission for a major mixed use scheme within a building of up to eleven storeys in height. It also involves the loss of the existing nightclub use on the site. The main issues for consideration are:

- Principle of the proposed uses and loss of the nightclub
- Design and impact on visual amenity
- Acceptability of the development for future occupiers
- Impact on neighbouring properties
- Trees and landscaping
- Highways, transport and parking
- Sustainability
- Aviation

- Drainage, groundwater and contamination
- Refuse and Recycling
- Affordable housing and other infrastructure contributions
- Community Infrastructure Levy

Principle of the proposed uses and loss of the nightclub

- 5.2 The proposal would involve the loss of the existing Moka nightclub. Although this is a sui generis use, the nightclub is clearly a leisure facility that makes a contribution towards Crawley's cultural life. Policy IN1 of the Local Plan offers protection for existing infrastructure facilities "*where they contribute to the neighbourhood or town overall, unless an equivalent replacement ... is provided or there is sufficient alternative provision in the area.*" The loss of the nightclub was raised by officers as part of pre-application advice. The applicant has responded by submitting a Nightlife Audit. It identifies three clubs (including Moka), six bar/clubs and fourteen pubs within the town. As would be expected, the majority of the clubs and bar/clubs are situated within the town centre. The applicant's Planning Statement states that currently only around 50% of the Moka floorspace remains in use and that the club is not used to capacity. Delphic, the operators, expect the nightclub to close and are apparently looking at alternative options to retain a presence in Crawley catering for current needs.
- 5.3 It is unfortunate that the nightclub would be lost as a result of the development. However, Moka is in an edge of centre location slightly away from the main focus of nightlife activity in the High Street. Within the High Street, the nightclub at 107 High Street (Rhythm) has reopened this year and the Local Planning Authority is currently dealing a planning application for a new nightclub at 50-54 High Street. The case officer and the Forward Planning team therefore consider that sufficient alternative provision is available, in a market that appears to have shifted away from large, purpose built nightclubs. It is noted that Moka is a substantial, but inflexible building, which has no obvious alternative use. It is not felt that refusal could be sustained on the grounds that the proposal represents a loss of existing facilities contrary to Policy IN1.
- 5.4 The main proposed use is residential. Policy H2 identifies the town centre as a broad location for new housing development. Residential use of town centre sites such as this is also encouraged by the NPPF and local policies are generally supportive provided that no harm to other main town centre uses results. The proposed residential use is therefore considered acceptable in principle.
- 5.5 The Forward Planning team accepts the principle of a mixed use scheme on the site. There are a range of potential retail, commercial and leisure uses proposed. The actual uses will depend on interest generated from potential occupiers through marketing. The maximum quantum of retail floorspace would be no more than 650 sqm, a figure that remains significantly beneath the 2,500 sqm threshold at which issues of retail impact should be considered. Given the close proximity of the site to the Primary Shopping Area and also to Crawley railway station, the relatively modest amount of retail floorspace that could be delivered and the positive contribution that ground floor commercial could make to generating activity and vitality in this part of the town centre, the retail (A1) aspect of the proposal is considered acceptable in policy terms. In the case of the alternative leisure and office elements of commercial floorspace (falling within Use Classes A3/A4/B1/D2), the NPPF is clear that the sequentially preferable location is within the town centre boundary. This is consistent with the proposed scheme.
- 5.6 Overall, the loss of the existing nightclub is considered unfortunate, but not an issue that would justify refusal. It is hoped that the operator will secure new premises within Crawley to enhance the town's nightlife. The residential and potential range of commercial uses for the ground floor are considered acceptable in principle and in general accordance with the relevant Local Plan policies.

Design and impact on visual amenity

- 5.7 The proposed building would have two linked elements, one at eleven storeys and one at nine storeys. The building footprint would form an L shape, with the taller element running north-south through the centre of the site and the lower wing extending to the west. A pocket park is proposed on the north-west corner of the site, fronting Station Way. A roof terrace for residents is proposed above the ninth floor. Solar panels are proposed for both parts of the flat roof. The proposal would

be a substantial building, in terms of height, bulk and massing, and would have a significant visual impact upon this town centre area.

5.8 In terms of materials, the applicant proposes two contrasting bricks of red/brown and grey. This will help to visually distinguish the two elements of the building, with the taller central element being red/brown and the western element having the grey brick. The brickwork would be laid out to create the appearance of a grid framework, with recessed panels containing the bulk of the fenestration. To the sides and rear of the building, a cream/off-white render is proposed. The top floors on each element would be set back from the main elevations and, externally, would use a light silver metal cladding. Officers are satisfied with the proposed materials in principle and consider that the detailed selection can be addressed by condition.

5.9 The case officer has discussed a number of design issues with the applicant in finalising the report, taking account of comments from the Council's Urban Design Officer. Some amendments have been agreed with the applicant to address design concerns raised by officers. The primary changes are:

- Additional windows to the side (west) elevation on the western, nine storey part of the building. This elevation was previously a blank wall that would have been visible across the railway station car park. The change is a significant visual improvement externally and also has the benefit of providing additional natural light and ventilation to living rooms and bathrooms within the flats in this part of the building.
- Revisions to the previously proposed curtain wall glazing to the ground and first floors. Whilst the curtain wall glazing was an attractive feature giving prominence to the ground floor commercial units, officers were concerned about the impact of views into the first floor flats from the pocket park and the extent to which furniture and residential items might appear cluttered and detract from the overall appearance.
- Additional balconies have been provided to some of the south facing flats
- Other more minor changes, including amendment to the residential lobby have also been made.

A full revised set of drawings detailing these changes is being prepared by the architect and will be submitted shortly. A condition is also recommended to ensure that detailed features on the building, such as recesses in the brickwork, the relationship of the balconies to the walls and the glazing/framing system, can be considered more carefully.

5.10 To the north-west of the building, fronting Station Way, the creation of a pocket park is proposed. The commercial units and the pedestrian entrance to the flats would enclose this space. The park would be open to the public as well as occupants of the scheme. It is proposed that the central area of the park would be enclosed by landscaping with built in seating. A feature, details of which are to be agreed, is proposed for the centre of the area. The pocket park could form an attractive feature in its own right, but also offers a good opportunity to link the scheme into the wider Station Gateway public realm improvements. This will need to be controlled, in terms of phasing and delivery, materials, landscaping and accessibility. Subject to appropriate controls, the pocket park and the surrounding commercial units would form an attractive feature for Crawley.

5.11 The applicant has submitted a Townscape and Visual Impact Assessment as part of the application. This assesses the impact of the scheme over a wider area, including the designated views within the Local Plan. In terms of townscape and the streetscene, the existing Moka building has little architectural merit. The replacement building would be a significant visual change, given its height, bulk and massing. Its separation distances from adjoining buildings would help to avoid it having a cramped appearance.

5.12 In longer distance elevated views, such as from Tilgate Park, the building would be visible, but would be seen in the context to the town centre. Taller buildings are under construction on The Boulevard and Crawley College sites and there is a planning permission for development of a similar height at Overline House. There are also bulky buildings with a more horizontal emphasis, such as the Arora Hotel and County Mall, nearby. The proposed building would be seen in the context of these developments and the cluster of taller/bulkier buildings in and around the town

centre. Within this context and as part of a grouping of other larger buildings, the proposal's longer distance visual impact is considered acceptable.

- 5.13 In urban design terms, the scheme would represent a significant visual change to the appearance of the site. It needs to be viewed though in the context of other town centre buildings and the proposals for buildings of a similar height at Overline House, Telford Place, the Town Hall site and Crawley College. Within this setting, the proposal is considered an acceptable addition.

Acceptability of the development for future occupiers

- 5.14 Policies CH3, CH5 and H3 of the Local Plan set out the Council's approach to residential amenity, internal space, private amenity space and achieving a mix of dwelling types and sizes to meet the town's needs.
- 5.15 The proposed flats would all comply with the minimum Nationally Described Space Standards, as required by policy CH5.
- 5.16 The main concerns about residential amenity for future occupiers relate to the proposed single aspect north facing units and the extent to which the building itself would overshadow the pocket park. Elsewhere, the corner flats would all be dual aspect and many of the single aspect flats would be south, west or east facing. The applicant has submitted an Internal Daylight, Sunlight and Overshadowing report to assess the internal environment that would be created. The report demonstrates that the majority of habitable rooms within the development would benefit from natural light to the levels sought in BRE guidance. The main concerns are the 3 one bedroom, two person flats on each floor of the western wing which have a north facing aspect. These flats will gain little, if any, direct sunlight. Following the addition of windows in the side (west) elevation, which created 16 more dual aspect flats, a total of 24 flats would now be solely north facing. This is unfortunate, but represents only 15% of the total number proposed. It would be difficult to design a scheme on this scale without any north facing, single aspect units. This would probably involve reorienting the whole building and creating at least one additional stair/lift core, leading to a reduction in the number of flats. The harm caused by the north facing, single aspect flats will need to be weighed against the other material considerations in assessing the application.
- 5.17 The scheme includes 121 one bedroom units for one and two people, 28 two bedroom four person flats and, on the tenth floor, 3 three bedroom five person flats. Whilst a higher number of larger flats would be preferable to meet Crawley's identified needs, it must also be recognised that this is a town centre location. The development does have a focus on one bedroom units, but some family sized units would be available too. Given the town centre location and the flatted nature of the development without private gardens, the proposed mix of unit sizes is considered adequate.
- 5.18 In terms of amenity space, a total of 65 flats would have access to a private balcony or terrace. The balconies would each have a floor area of 5 sqm. The remaining flats would all have Juliet balconies. Residents will also benefit from access to the ninth floor roof terrace, which would have an area of 320 sqm. The roof terrace is a key element in delivering appropriate amenity space for the residents and can be secured by condition. Finally, the residents will also clearly have access to the public pocket park at the front of the building. The overall level of amenity space provision is considered acceptable on a town centre site such as this.
- 5.19 The Internal Daylight, Sunlight and Overshadowing report addresses the availability of sunlight to the outdoor areas. The pocket park would be significantly overshadowed by the proposed building, with only 24% of the square receiving the recommended minimum of two hours of direct sunlight per day. However, the proposed rooftop terrace would benefit from excellent levels of sunlight, with 93% receiving the minimum two hours of direct sunlight. All of the balconies are likely to gain some direct sunlight at certain times of the day, although for the north facing units this would be limited. Generally though, in terms of outdoor amenity for residents, the scheme is considered to deliver a good level of access to direct sunlight.
- 5.20 The majority of the proposed flats would benefit from compliant levels of daylight and sunlight, acceptable outlook and aspect and good access to amenity space. Some flats would suffer from more limited light levels, lack of direct sunlight and a Juliet, rather than external balcony. In the

context of the whole scheme, the shortfalls are limited, but they must be assessed as part of the overall balance in determining the application.

- 5.21 A Noise and Vibration Assessment has been submitted by the applicant and, following comments from Environmental Health, a further Acoustic Technical Note was also provided. The main noise impacts affecting the site are road traffic noise from Station Way and railway noise from the south. The applicant considers that appropriate mitigation measures will ensure that noise levels are acceptable and that related ventilation and potential overheating issues can also be addressed. Final comments from Environmental Health, together with any recommended conditions, will be reported at the Planning Committee meeting.

Impact on neighbouring properties

- 5.22 Policy CH3 of the Local Plan and guidance within the Urban Design SPD seeks a thirty metre window to window distance between three or more storey properties.
- 5.23 The Moka site is currently surrounded by commercial uses although, as Members will be aware, there are nearby residential proposals to the west (Overline House and Station Gateway which has outline planning permission and is the subject of current applications) and to the south-west (Zurich House which is vacant but has permission for residential use).
- 5.24 The proposed east elevation would be 38 metres from the west elevation of Belmont House, which is in office (B1) use. The Arora Hotel is approximately 36 metres south of the proposed building. Longley House is around 40 metres south-west of the proposal, with Crawley railway station lying in the middle. Zurich House is around 90 metres away. Overline House, which is covered by an outline planning permission and a current full planning application for residential use, is situated around 60 metres west of the proposal.
- 5.25 These distances from adjoining properties all exceed the required distance set out in the Urban Design SPD and it is not considered that any direct or unacceptable overlooking of neighbouring properties would result.
- 5.26 The proposed building is likely to be visible from other existing buildings nearby, including houses within the East Park area. There are no residential properties to the north though, so overshadowing is not a concern in that direction. The building would be likely to cause some afternoon overshadowing to the offices at Belmont House. However, the existing mature trees between the buildings already contribute to this, the building is dual aspect and it is in commercial, rather than residential, use. It is therefore considered that the likely impact is acceptable. The current Overline House/Station Gateway proposals retain a surface level car park immediately to the west of the site. The morning overshadowing of this area is acceptable. South of the railway the main potential impact could be overdominance. However, buildings south of the railway are a fair distance away. In the case of the nearest, the Arora hotel, it is not in residential use. Overall, whilst the building is significant in scale and would be visible from neighbouring properties, the proposal is considered acceptable given its location and orientation relative to neighbours and that the nearest neighbours are not in the more sensitive residential use.

Trees and landscaping

- 5.27 There is a Tree Preservation Order covering fourteen trees on the site. These are situated to the east of the nightclub and are visible from Station Way. The applicant has submitted an Arboricultural Report with the application. Four of the protected trees are proposed to be removed, along with a further five trees that are not protected. The trees to be removed are in a north-south belt to the east of the nightclub building and on the southern boundary. All are required to be removed as they are within or too close to the footprint of the proposed building.
- 5.28 The Council's Arboricultural Officer has raised concerns about the grading of the trees within the applicant's Arboricultural Report. He states that the majority of the trees have been given a C grade, but feels that they are of a higher value individually and as part of their group contribution to the streetscene.

- 5.29 It is unfortunate that the development would directly affect protected trees. The trees certainly do make a contribution to the Station Way streetscene and also act as part of a screen between the site and Belmont House. Their loss certainly counts against the scheme and this must be taken into account in reaching a balanced view on the application as a whole.
- 5.30 The landscaping scheme shows the planting of fifteen new trees within the site. Eleven of these would be within the proposed pocket park and the other four would be on the eastern part of the Station Way frontage. Full details of proposed tree planting on site can be secured by condition, alongside hard and soft landscaping proposals. The applicant has also agreed to fund, through a legal agreement, additional off-site tree planting in accordance with Policy CH6 of the Local Plan and the Green Infrastructure SPD. This would ensure replanting met the required standards of policy CH6, including more than one replacement tree per larger tree to be removed in accordance with the policy. The trees to be retained, which lie to the east of the site, would be protected during construction. This protection can be secured by condition.

Highways, transport and parking

- 5.31 The site lies in a highly sustainable location in transport terms. Crawley's railway and bus stations are both under 100 metres away from the site boundary. The town centre is also a very short walk away, with County Mall only 150 metres away on foot. Residents would have easy access to train and bus, including Fastway, services. They would also be able to access the full range of town centre facilities, including shops, leisure activities and employment opportunities.
- 5.32 The proposed 152 residential units and the commercial units would be served by only sixteen on site car parking spaces. Two of these spaces would be for disabled drivers, which meets the required level. The overall level of car parking proposed is a reflection of the site's sustainable location, but it is also significantly below Crawley's standards which would require 201 car parking spaces. Residents would though be aware of the car parking situation prior to occupying a flat within the development and, as WSCC note, the surrounding area has extensive parking controls
- 5.33 The applicant has reached agreement with Bluecity to deliver and operate a car club from the site. This would solely operate with electric vehicles and all sixteen parking spaces would provide publicly accessible vehicle charging facilities. Car club vehicles would be available to future residents and other members of the public. The Design and Access Statement confirms that the applicant will provide residents with free membership of the car club. The car club would initially operate with five cars, but potentially could be expanded on the site if demand supports this. Car clubs do have a significant impact in reducing privately owned cars. The applicant's Transport Statement refers to evidence from Carplus, a not for profit, environmental transport NGO, dated July 2014 which suggests that, outside London, each car club car can replace up to eleven privately owned vehicles. Evidence also suggests that car club members are significantly more likely to use sustainable modes of transport, such as buses and cycles.
- 5.34 West Sussex Highways team has provided the following comments on the scheme's car parking provision:

"The Highway Authority concurs with the applicant's view that the site benefits from being in a central and sustainable location close to amenities within Crawley and public transport facilities. The site is also within the central Controlled Parking Zone (CPZ) and therefore on-street car parking is effectively managed. The applicant is proposing 16 on-site car parking spaces; two of which are disabled parking spaces. The 16 spaces shall be operated by the car club operator Bluecity. All car parking spaces shall have electric vehicle charging points and initially Bluecity shall operate 5 electric car club vehicles from this site. The remaining spaces shall be for use of any other electric vehicle. The car club vehicles will be publically accessible and will link up with the other Bluecity car club at Gatwick.

In light of the central and sustainable location and access to local facilities, services and public transport the Highway Authority do not wish to object to the proposed level of car parking. The Highway Authority welcomes the addition of an electric vehicle car club hub in the centre of Crawley."

- 5.35 The Transport Statement has assessed likely trip generation and concludes that the proposed development will not have a significant impact the local highway network. The applicant forecasts that there would be eight vehicle movements in the AM peak and six in the PM peak which, in part, reflects the low level of parking proposed. The Local Highway Authority does not object to the proposed highway impact from this development and it is not considered to be severe as set out in the National Planning Policy Framework (NPPF).
- 5.36 In terms of cycle parking, a total of 183 cycle spaces would be provided for residents within a secure store at the rear of the ground floor. Concerns were raised with the applicant about the awkward access to the store along a corridor. The scheme has now been revised to facilitate direct access through the lobby. There would also be 20 cycle spaces for visitors and 16 spaces for use in connection with the commercial units. This level of parking provision for cyclists meets the Council's adopted standards. WSCC Highways recommend that further details of the specific type and layout of cycle parking should be secured by condition.
- 5.37 The Cycle Forum has commented that a cycle path is proposed along The Boulevard and considers that users of the path should have priority over vehicles using the site. The cycle path proposal is still being designed though and no control over its design can be exerted through the current application. The Forum also comments regarding measures to be incorporated within a Travel Plan to ensure successful implementation and management of cycle parking within the site.
- 5.38 Pedestrian access to the site is good, with the pocket park creating an attractive arrival point. There would be direct access for pedestrians from this area into the residential lobby and the commercial units.
- 5.39 Implemented Travel Plans for the residential and commercial elements would be an essential requirement of the development. Travel Plans have been submitted by the applicant and agreed with WSCC Highways. These can be secured by condition.
- 5.40 The site has two existing accesses from Station Way and the development would utilise one of these to access the car park and service area. WSCC Highways comment that a 70 metre visibility splay is acceptable but should be demonstrated on a plan. Servicing, including refuse/recycling collections, would utilise a bay immediately to the east elevation of the building. The applicant has provided vehicle tracking to demonstrate that a refuse vehicle can access the site in a forward gear, reverse to the bin store and then leave in a forward gear. A lay by is also proposed on Station Way, which could cater for matters such as parcel deliveries to residents.
- 5.41 Members will be aware that significant public realm improvements are proposed along Station Way. In general terms, these will enhance the access to the railway station and improve links between the station and the town centre. The application site is at the eastern end of these proposed improvements. It offers a significant opportunity, through the proposed pocket park, to add to the wider enhancements and to provide a focal point to the east of the station.
- 5.42 There are a number of technical highways matters to be addressed. The site access works and associated works to the adopted highway should be undertaken through appropriate highways agreements. WSCC Highways consider that these works can be secured by condition. The Highways team also, given the proposed lay by on Station Way, require additional land to be dedicated as adopted highway to ensure that there is sufficient width for a footpath and cyclepath to be provided around the proposed bay. Further confirmation is also sought on other aspects raised by the Road Safety Audit. It is proposed that the legal agreement and conditions be used to secure an acceptable outcome in terms of appropriate control over the highway and linking the scheme into the wider Station Gateway public realm improvements to ensure consistency.
- 5.43 Overall, the scheme is considered acceptable in transport and highways terms. Given the low level of car parking proposed, it is essential that the implementation of the various measures proposed to encourage and promote sustainable travel is secured through conditions and a legal agreement.

Sustainability

- 5.44 The applicant has submitted an Energy and Sustainability Strategy in support of the application. The proposed approach to heating is to install electric heating in the apartments and utilise air-source heat pumps for the retail units. A large solar PV array is also specified to serve the communal areas and the centralised plant room.
- 5.45 The site lies within the town centre priority area for a District Energy Network. However, in respect of policy ENV7, the development is not proposing to include a communal hot water/heating system, or to make provision to connect to one in future. The applicant seeks to justify this on the basis of the remoteness of phase 1 of the proposed Town Centre District Energy Network from the site and the relative inefficiency of CHP/communal gas as an interim site-wide solution. The Energy and Sustainability Strategy does however propose that service ducts are installed to enable future connection to offsite utilities generation in relation to the commercial units.
- 5.46 The Energy Efficiency and Sustainability officer comments that, as a response to the requirements of policies ENV6 and ENV7, “this is probably just about acceptable on balance.” He adds that an important consideration is that the proposed electric heating system for the flats is likely to be significantly more CO₂ efficient than shown in the applicant’s modelling, due to the use of dated carbon factors from 2012 in the SAP calculations, which fail to take into account recent advances in decarbonisation of the grid. Consequently, the proposed PV element is likely to achieve a significantly higher reduction in the site’s CO₂ emissions than the 5% or so suggested.
- 5.47 Taking into account the significant proposed use of renewable energy sources on site, the likely timescale for the Town Centre District Energy Network connecting to the site and the proposal to include ducting for future connection for the commercial units, the approach to sustainability is considered acceptable. If the application is approved, conditions should be used to secure implementation of the solar array, air source heat pumps and service ducts. In addition, conditions are needed to ensure that the required BREEAM rating and water efficiency measures are achieved.

Aviation

- 5.48 The maximum height of the building would be 110.9 metres AOD.
- 5.49 The applicant has submitted an Aviation Impact Assessment and a Bird Hazard Management Plan. GAL Safeguarding has reviewed the Aviation Impact Assessment and is satisfied with its findings. They raise no objection, subject to a condition limiting the building height to 110.9 metres AOD and to the removal of permitted development rights for any possible increase in height. They also recommend a construction management strategy to address the potential impact of cranes. Following GAL Safeguarding’s original comments, the Bird Hazard Management Plan was amended. GAL now have no objection, subject to a condition ensuring implementation. NATS En Route has also confirmed that it has no objection to the proposal from an aviation safety point of view.
- 5.50 The scheme also proposes solar panels on the roof at both nine and eleventh floor levels. The applicant submitted further detail about the panels confirming that they would have anti-reflective glass and GAL Safeguarding have confirmed that they have no objection on aviation safety grounds.
- 5.51 Overall, the proposal is considered acceptable in aviation terms, subject to conditions limiting building height, preventing potential further height increases through permitted development and managing construction and the use of cranes.

Drainage, groundwater and contamination

- 5.52 Detailed comments have been received on drainage and groundwater issues. The Environment Agency has raised no objection subject to conditions covering potential contamination, use of sustainable drainage systems and the possible use of piling. Thames Water has also raised no objection, but notes that there are sewers close to the site. Thames Water too requests a piling condition to address potential damage and also recommends informatives on groundwater discharge and water supply.

- 5.53 In terms of surface water flows, WSCC as the Lead Local Flood Authority commented that the proposed roof top planting, permeable paving and below ground attenuation to be used to control run off with discharge to the main sewer at greenfield rates, would, in principle, meet the requirements of the NPPF and associated guidance documents. They have therefore raised no objection subject to conditions covering detailed sustainable drainage systems. The applicant has provided the approval letter from Thames Water agreeing connection to the existing sewer. The Council's Drainage Officer has therefore raised no objection in this regard.
- 5.54 Subject to conditions, the proposal is considered acceptable in terms of drainage and addressing any potential risk to groundwater if unexpected contamination is found on site.

Refuse and recycling

- 5.55 The Council's Refuse and Recycling team commented that the bin store is well located and accessible to the collection vehicle. They sought an increased number of collection bins (a total of 34 x 1100 litre bins (17 x refuse and 17 x recycling)) to support a new Council project to improve recycling in large blocks of flats and potentially cater for food waste collections in future. The applicant responded positively to this and has provided a store that can accommodate the required number of bins. Future residents will also benefit from a refuse chute, which will avoid the need for them to carry refuse sacks through the communal areas and lobby to the refuse/recycling store.

Affordable housing and other infrastructure contributions

- 5.56 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need. Payment in lieu will only be accepted in exceptional circumstances.
- 5.57 A Viability Assessment was submitted with the application, which was independently scrutinised by Dixon Searle. The appraisal confirmed that the scheme could not support the 40% affordable housing requirement of Policy H4. The applicant initially made an offer of a contribution of £250,000 towards off-site provision.
- 5.58 Following negotiations between officers and the applicant, an improved offer of 15 (10%) on-site affordable units has been received. These would be one bedroom units. They are intended to be for sale at a discounted rate of 80% of market value although, if the scheme becomes a privately rented development, they would be secured at a discounted rent instead. This represents a significant improvement upon the original offer, is in line with paragraph 64 of the NPPF and secures on-site provision. Whilst it is unfortunate that the scheme cannot deliver 40% affordable housing, this has been justified in viability terms. The proposal would make a small contribution towards addressing Crawley's affordable housing needs. Provision of this level of affordable housing can be secured through a Section 106 agreement and officers consider that it represents a satisfactory outcome. Given that the scheme does not deliver 40% affordable housing, in accordance with paragraphs 4.6-4.7 of the Affordable Housing SPD and the Planning Practice Guidance, a review mechanism of viability should be secured to address potential improvements in viability as the scheme progresses.
- 5.59 For other contributions, the Borough Council seeks £59,958 towards open space, which is likely to be spent enhancing Southgate Park play area, improving amenity green space and enhancing allotment provision within the local area. The Green Infrastructure SPD sets out the method for calculating the required contribution to new tree planting. In this case the requirement is for 178 trees (152 flats minus 15 trees planted on site plus 41 replacements required). In addition to the fifteen trees to be planted on site, a contribution of £124,600 (178 x £700) is required to be secured through a legal agreement.

Community Infrastructure Levy

- 5.60 Policy IN1 of the Crawley Borough Local Plan 2015-2030 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will be implementing a Community Infrastructure Levy (CIL). Crawley's CIL took effect from 17 August 2016. The scheme would be liable for a CIL payment of around £1.03 million.
- 5.61 The Crawley Clinical Commissioning Group has commented that future residents would be likely to register with Saxonbrook Medical Centre. This could exacerbate pressures on that practice and the CCG is seeking funding through CIL for improvement works. This will be considered separately through the Council's CIL procedures.

CONCLUSIONS:-

- 6.1 The proposal generally accords with the relevant policy requirements and would provide a significant number of new residential units and some new commercial space in a highly sustainable location on the southern edge of the town centre. Future occupants would have easy access to public transport, both rail and bus, and to the wide range of facilities available in the town centre. The proposal would be in a very prominent location and would replace the existing, fairly unattractive, nightclub building. Subject to appropriate detailing and materials, the proposal could form an attractive building within the town centre. The proposed development is generally policy compliant in terms of its use, design and residential standards and, subject to measures to address noise impacts, would create a satisfactory residential environment. Whilst the level of car parking is very low, the highly accessible location in sustainable transport terms and the proposed car club help to mitigate this. The proposal, subject to a range of appropriate controls, is considered acceptable in highways and parking terms.
- 6.2 It is concluded that the development would meet the objectives of the NPPF and would comply with the policies in the Local Plan. Having weighed up the social, environmental and economic impacts of the proposal, it would represent a sustainable development. Whilst there are some negative impacts arising from the proposal, such as loss of protected trees, the loss of the nightclub and limited daylight/sunlight for some units, it is considered that these are outweighed by the positive benefits of the scheme.
- 6.3 It is therefore recommended that the scheme is granted planning permission subject to the conclusion of a Section 106 Agreement to secure
- Provision of a minimum of 15 affordable housing units within the scheme, an agreed strategy for allocation of the affordable housing units and a review mechanism to address any potential upturn in viability as the scheme is developed;
 - Infrastructure contributions towards open space (£59,958.50) and tree mitigation (up to £124,600);
 - Implementation of the car club and electric vehicle charging points prior to first occupation of the building;
 - A scheme for delivery of public realm improvements and highway works in association with wider Station Gateway public realm improvements; and
- 6.4 However, in the event that the Section 106 Agreement is not completed by 31 March 2020 and unless there are exceptional reasons for the delay agreed in writing with the applicant, the Head of Economy and Planning be authorised to refuse planning permission for the following reason:

An agreement is not in place to ensure that the appropriate infrastructure provisions to support the development and the development is therefore contrary Policies IN1, CH6 and H4 of the Crawley Borough Council Local Plan 2015 - 2030 and the Affordable Housing and Green Infrastructure Supplementary Planning Documents.

RECOMMENDATION RE: CR/2019/0542/FUL

PERMIT subject to conclusion of the Section 106 agreement 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 Bird Hazard Management Plan dated 23 August 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 Policy IN1 of the Crawley Borough Local Plan 2015-2030.
4. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 - the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);
 - details of public engagement both prior to and during construction works; and
 - Details of cranes and other tall construction equipment (including the details of obstacle lighting) – Such schemes shall comply with Advice Note 4 ‘Cranes and Other Construction Issues’, available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>REASON: In the interests of highway safety, the amenities of the area and to ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.
5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of Local Planning Authority.
REASON: To address the potential for unexpected contamination to be identified during development groundworks, for protection against an unacceptable risk to Controlled Waters as the site is located above a Secondary Aquifer and in accordance with Policies ENV8 and ENV10 of the Crawley Borough Local Plan 2015-2030.
6. No works above ground level shall be carried out unless and until a schedule of all materials and finishes, together with samples of such materials and finishes, to be used for the external walls, glazing and roofs of the proposed building and for the external hard landscaping have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

7. Notwithstanding the submitted elevation, section and floorplan drawings, no above ground development shall be carried out unless and until detailed elevational, section and floorplan drawings at appropriate scales of not more than 1:20, showing the proposed walls, fenestration, balconies and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.
REASON: As insufficient detail has been provided and to enable the Local Planning Authority to control the development in detail in the interests of amenity to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030 and the Urban Design Supplementary Planning Document.
8. No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to the external elevations of the development hereby approved unless details have been submitted to and approved in writing by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
9. No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence to be approved by the Local Planning Authority erected around each tree or group of vegetation at a radius from the bole or boles of 5 metres or such distance as may be agreed in writing by the Local Planning Authority. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
10. No above ground development shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of boundary treatment and landscaping, hard and soft, which shall include indications of all existing trees and hedgerows on the land and details of any to be retained. The scheme shall be implemented in accordance with the approved details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity, the environment of the development, security for future residents and for users of the adjoining public highway in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.
11. 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 occupation of the buildings or the completion of the development, whichever is the sooner, 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 Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
12. No works on the new building shall commence until a scheme to provide combined television reception facilities and superfast broadband for all dwellings within the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015 - 2030.
13. No development shall take place unless and until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus climate

change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. The development shall be implemented in accordance with the approved details.

REASON: To protect the underlying groundwater from the risk of pollution, to reduce the risk of flooding and to safeguard future occupants of the site in accordance with Policies ENV8 and ENV10 of the Crawley Borough Local Plan 2015-2030.

14. Development shall not commence until full details of the maintenance and management of the SUDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.
REASON: To reduce the risk of flooding and safeguard future occupants of the site in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015 - 2030.
15. No piling or any other foundation designs using penetrative methods shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved Piling Method Statement.
REASON: To protect nearby underground sewerage utility infrastructure, to address the potential risk of contamination of underlying groundwaters and in accordance with Policies ENV8 and ENV10 of the Crawley Borough Local Plan 2015-2030.
16. No building or structure forming part of the development hereby permitted shall exceed 110.9 metres AOD.
REASON: To avoid any building/structure on the application site endangering the safe movement of aircraft and the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
17. No part of the development shall be first occupied until such time as the vehicular access serving the development and the associated highway works to Station Way have been constructed in accordance with the details shown on the drawing titled XXX and numbered XXX.
REASON: In the interests of road safety, the amenities of the area and to ensure a satisfactory standard of access to the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
18. No part of the development shall be first occupied until the car parking spaces, turning and servicing areas and the electric vehicle charging points have been constructed in accordance with the approved site plan. 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 accommodation of vehicles clear of the highways in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030.
19. No part of the development shall be first occupied until covered and secure cycle and motorcycle parking spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority. The approved provision shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
REASON: To provide high quality alternative travel options to the use of the private car in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030, the Urban Design Supplementary Planning Document and the National Planning Policy Framework.
20. The residential element of the development shall not be occupied unless and until the measures of the Residential Development Framework Travel Plan provided by Mayer Brown Limited dated October 2019 have been fully implemented. The later and ongoing elements of the Travel Plan shall be implemented in full according to the programme contained within the Travel Plan and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.
REASON: To encourage and promote sustainable transport and in accordance with Policies CH3, IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.

21. The ground floor commercial units shall not be occupied unless and until the measures of the Commercial/Retail Development Framework Travel Plan Statement provided by Mayer Brown Limited and dated October 2019 have been fully implemented. The later and ongoing elements of the Travel Plan shall be implemented in full according to the programme contained within the Travel Plan and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.
REASON: To encourage and promote sustainable transport and in accordance with Policies CH3, IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.
22. The commercial units hereby permitted shall only be open to customers between the hours 07.00am and 11.00pm.
REASON: To safeguard the amenities of the locality and to comply with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
23. Prior to the first occupation of the flats hereby approved, the Level 9 outdoor landscaped roof terrace shall be fully implemented and made available for use by all residents. The roof terrace shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.
REASON: To create a high quality residential environment for future residents, ensure the provision of adequate private outdoor amenity space and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030 and the Urban Design Supplementary Planning Document.
24. The residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that each unit shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption. The scheme shall be implemented in accordance with the agreed details.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030.
25. The solar panels shall be fully implemented as shown on the approved drawings and the datasheet prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the development addresses energy efficiency and climate change, does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids, surveillance equipment and glint/glare to pilots and in accordance with Policies ENV6 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.
26. No above ground development shall be carried out unless and until details of the air source heat pumps to serve the ground floor commercial units hereby approved have been submitted to and approved in writing by the Local Planning Authority. The air source heat pumps shall be fully implemented as approved prior to first occupation of the ground floor commercial units unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure the development addresses energy efficiency and climate change and to address the visual and noise impact of the proposed equipment in accordance with Policies CH3, ENV6 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.
27. Within three months of the occupation of any commercial unit forming part of the development, a post-construction report shall be submitted to and agreed in writing by the Local Planning Authority verifying that the unit has achieved the minimum Energy and Water standards for BREEAM 'Excellent'.
REASON: In the interests of sustainable design and construction in accordance with Policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.
28. None of the commercial units shall be occupied until the service ducts to enable future connection to offsite utilities generation referred to in the Sustainability and Energy Strategy dated July 2019 have been installed in accordance with details which have first been submitted to and agreed in writing with the Local Planning Authority.
REASON: In the interests of sustainable design and construction in accordance with Policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030.

29. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order amending, revoking and re-enacting this order with or without modification, no development, telecommunications equipment, renewable energy equipment, other equipment or advertisements other than those shown on the drawings hereby approved shall be installed or carried out on the roof of the development hereby permitted without the prior, express planning permission of the Local Planning Authority.

REASON: To ensure that the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment, to enable the Local Planning Authority to control extensions and alterations that could have significant visual impact and in accordance with Policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

INFORMATIVES

1. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for 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 from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).
2. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant should note that as part of these works there is also land which shall be adopted as highway maintainable at the public expense. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
3. The applicant is advised that they must apply and obtain approval from West Sussex County Council as Highway Authority for all temporary directional signs to housing developments that are to be located on the highway. Further details of the process and how to apply are available here: <https://www.westsussex.gov.uk/roads-and-travel/information-for-developers/temporary-development-signs/#overview>.
4. The applicant is advised to contact Network Rail's Asset Protection Team in order to enter into a Basic Asset Protection Agreement.
5. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
6. With regard to water supply, this comes within the area covered by the Southern Water PLC. For your information, the address to write to is - Southern House, Yeoman Road, Worthing, West Sussex BN13 3NX Tel - (0845) 2780845.
7. The water efficiency standard required under condition 24 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
8. The applicant is advised to consider the incorporation into the scheme of the Secured by Design measures set out in detail in the letter from Sussex Police dated 19 August 2019.

9. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
- Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

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 consultees, the applicant and agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of the application.

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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