

LOCATION: [LAND EAST OF TINSLEY LANE, THREE BRIDGES, CRAWLEY](#)
WARD: Three Bridges
PROPOSAL: OUTLINE APPLICATION FOR ACCESS (WITH ALL OTHER MATTERS RESERVED) FOR UP TO 150 RESIDENTIAL UNITS; NEW SITE ACCESS FROM BIRCH LEA WITH ENHANCED ACCESS FROM KENMARA COURT, DEMOLITION OF THE EXISTING OAKWOOD FOOTBALL CLUB FACILITIES AND PROVISION OF A NEW CLUBHOUSE, SENIOR AND JUNIOR PITCH; PROVISION OF OPEN SPACE AND WOODLAND ACCESS; AND OTHER ANCILLARY WORKS

TARGET DECISION DATE: 30 October 2018

CASE OFFICER: Mr H. Walke

APPLICANTS NAME: Homes England

AGENTS NAME: Wood Plc

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
38052-Lea99		Illustrative Masterplan
38052-Lea018	B	Kenmara Court Football Club Access And Emergency Access
38052-Lea68	A	Tree Impact
38052-Lea069	A	Proposed Vehicular Access
38052-Lea96		Building Heights Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|-----|--|--|
| 1. | GAL Aerodrome Safeguarding | No objection subject to conditions |
| 2. | Network Rail | Comments provided |
| 3. | WSCC Highways | No objection subject to conditions and a |
| | financial contribution towards traffic calming | |
| 4. | Thames Water | No objection, comments provided |
| 5. | Sussex Building Control Partnership | No response received |
| 6. | Police | Comments provided |
| 7. | CBC Drainage Officer | No objection subject to conditions |
| 8. | CBC Housing Enabling & Development Manager | Comments provided |
| 9. | CBC Planning Arboricultural Officer | No objection subject to conditions |
| 10. | CBC Environment Team | No response received |
| 11. | CBC Contaminated Land | No response received |
| 12. | CBC Environmental Health | No objection subject to conditions |
| 13. | Crawley Cycle & Walking Forum | Comments provided |
| 14. | CBC Refuse & Recycling Team | Comments provided |
| 15. | Southern Water Ltd | No objection |
| 16. | Sport England | No objection subject to a S106 agreement and |
| | conditions | |
| 17. | CBC Energy Efficiency & Sustainability | No response received |
| 18. | Ecology Officer | No objection subject to conditions |
| 19. | WSCC Lead Local Flood Authority | No objection |
| 20. | CBC Countryside & Open Space | Comments provided |
| 21. | CBC Strategic Issues | Comments provided |

22.	CBC Housing	Comments provided
23.	CBC Environmental Health (AQMA) contribution towards air quality mitigation	No objection subject to conditions and a
24.	NHS Crawley Clinical Commissioning Group	Comments provided
25.	Tinsley Lane Residents Association	Comments provided (see Responses Received)
26.	WSCC Fire & Rescue	No response received
27.	GAL Planning Department	No objection subject to noise mitigation
29.	Environment Agency	No comments
30.	Natural England	No objection
31.	Forestry Commission	Comments provided
32.	Highways England	No objection
33.	Sussex Wildlife Trust	Comments provided
34.	The Woodland Trust	No response received
35.	Manor Royal Business District	Comments provided (see Responses Received)
36.	Crawley Wasps Ladies Football Club	No response received
37.	WSCC Minerals preventing or prejudicing the operation of the safeguarded mineral processing facilities.	No objection subject to the development not
38.	Archaeologist	No objection subject to condition

NEIGHBOUR NOTIFICATIONS:-

Neighbouring properties were originally consulted on the application in August 2019, through a press notice, site notices and consultation letters. Following the submission of additional and revised information by the applicant, reconsultations were carried out in October 2019. The following properties were either consulted originally or in reconsultations following their initial response:

Birch Lea - 1 to 10;
Tinsley Court - Flats 1 to 6;
Tinsley Lane – 22, 55, 59, 65, 67, 92, 116 to 122 (even nos), 138 and 146;
Kenmara Close - 16, 17, 20;
Kenmara Court – 92, Stepping Stones;
Summersvere Close – 5, 18;
Cophorne Court – Flat 7;
Tinsley Close – 2;
Oakwood Sports and Social Club;
Unit 2, Eezehaul Unit 3, The Drive;
40-44 Gatwick Road;
WT Burdens, Crawley Goods Yard;
KP Autos;
Gatwick Pallets;
Aggregate Industries UK Ltd;
Cemex UK Materials Ltd;
Burdens Ltd;
Mineral Depot;
Rail Fed Concrete Batching Plant and Car Park;
Coppice Walk – 24;
Harewood Close;
Onslow Court – 10;
Rocks Close – 35.

RESPONSES RECEIVED:-

The application has generated a considerable level of objection, expressions of concern and questions about the impact of the development. Responses were received from around 40 different residential addresses, businesses or organisations, with many submitting more than one response. These raised objections covering a variety of issues, which are summarised below:

Comments from residents

The development would be out of character with Tinsley Lane and unsympathetic to its surroundings. The site is a haven between Manor Royal and built up parts of Crawley, used as an area of grassed open space

and is not suitable for housing. Tinsley Lane has already been affected by recent flatted developments. There are plenty of other sites available in the borough and elsewhere. Too many houses are proposed and the number should be reduced to 120 as agreed by the Local Plan inspector. This would be more in keeping with the area and allow better play space and provision of allotments. The proposal is cramped and the density is too high. Surrounding density is 20 dwellings per hectare (dph). The three storey houses around the perimeter are too high and will make the interior feel like a prison. Too many flats are proposed within the scheme, which will not attract local families. Bungalows should be considered for older and less mobile people.

Estimated traffic levels from the developer are too low for a family orientated development. Accesses onto Gatwick Road are inadequate already and cannot cope with increased numbers of journeys to work/school. They were not properly considered. The Transport Assessment (TA) fails to consider all approved developments, little survey work was undertaken and it does not reflect normal conditions. It underestimates traffic movements. Forge Wood has already increased congestion. There will be increased congestion and the developer must fund improvements. Insufficient traffic monitoring has been carried out. The access road through Kenmara Court should be used. Parts of Tinsley Lane are generally only suitable for one lane of traffic. Tinsley Lane is affected by Manor Royal and Gatwick parking. The recent yellow lines have had little impact and are not enforced. Maxwell Way's food van causes problems due to HGVs blocking the road. Taxis, delivery vans and Gatwick School cars already park illegally in the area. An increase in pupil numbers would worsen this. The ambulance station in Manor Royal should be taken into account. Tinsley Lane is used as a short cut for Manor Royal. The area does not have good public transport and is at least a 25 minute walk from Three Bridges station, which is unattractive in the dark/winter. The nearest bus stop is 600 metres away, which is beyond the guidance figure of 400 metres. The footbridge is poor, not suitable for cycling and difficult for wheelchairs/buggies. No public transport or electric vehicle charging is shown. Reinstatement of a bus service along Tinsley Lane is needed, which should be subsidised by the developer.

The best access would be from Crawley Avenue, Kenmara Court or next to Eezehaul. Alternative accesses should be considered. The other access points have only been excluded to save the developer money. There is contradictory information about the reasons for not using Kenmara Close as the main access. Not using Kenmara Court on the grounds that it is unpopular is not appropriate. The northern access is already poor and would be worsened. If the Goods Yard reduced its noise, houses could be located at the northern end. Consideration should be given to a one way route through the site, which would even out traffic distribution and reduce safety concerns. Ownership of the private road into the sport facilities should be clarified along with responsibility for maintenance. The existing road is poorly maintained by the football club.

Birch Lea is a small and narrow cul-de-sac, where on-street parking is difficult without blocking a driveway. It is an unsuitable access point for the development. Parking will be a problem in Birch Lea, even if it is widened by 0.5 metres. It will change from a quiet cul-de-sac to a busy, noisy main road. The road does not suit increased traffic and straightening/widening Birch Lea and providing parking bays would harm its character, increase speeds and heighten danger. Pedestrians will not be able to safely cross the road. The plan does not accurately show driveways in Birch Lea, which have poor visibility. The bends in the road exacerbate visibility problems. A further 150 houses will cause more danger for drivers leaving Birch Lea driveways, who may not be able to see oncoming traffic. Birch Lea is sloping and dangerous in snow/icy conditions, when residents park at the bottom of the road. Headlights shine into the houses. The Road Safety Audit does not address this. Use of Birch Lea would be intolerable during construction. How will construction and delivery vehicles access the site? Refuse vehicles would block the access roads.

Pedestrian and cycle access over the railway to Forge Wood should be provided. There is inadequate parking for the football club and Birch Lea is used for parking when matches are played at present. The footbridge over Crawley Avenue is too narrow for cyclists. The proposed cycle route along Tinsley Lane is not shown accurately. The emergency access will need parking controls to ensure it is not blocked. The assumption that the new sports facilities will have limited effect on peak hour movements is incorrect. Residents must be involved in traffic calming and parking controls. The proposed parking is inadequate and people will not use sustainable transport. Garages should not be counted as parking spaces as they are used for storage. Inadequate electric vehicle charging provision. The grass verges in Birch Lea assist with social distancing for Covid reasons. Increased traffic will not help Crawley become carbon neutral.

Increased traffic will cause air pollution, noise and health issues for existing residents. Air quality assessment does not include approved offices on Gatwick Road. The site is currently dark and lighting will impact adjoining houses. Disturbance during construction if the existing access road is used. Sound mitigation will not address noise concerns for Birch Lea.

Residents of the scheme would be disturbed by the Goods Yard, nearby factories, Gatwick Airport and the railway, leading to complaints to the Council. The noise measurements do not address intermittent Goods Yard noise. Who will be liable if noise mitigation measures do not work? Noise monitoring should be carried out after the development, including for the pitches.

The play area and Amenity Green Space is too small and needs to be increased. Allotments should be provided within the scheme. An area for ball games is required, as access to the sports facilities will be charged for and not always available. The site is not close enough to neighbourhood facilities. Where will medical, dental, schools and children's day care facilities be provided? These should be funded by the developer. The doctor's surgery is oversubscribed. There are no local shops. Litter bins will be needed for communal areas. No security measures, such as CCTV, are proposed. The site appears to have inadequate gas supply. Further work on foul water disposal is needed.

Additional traffic will harm life for current residents. Birch Lea residents have chosen to live in a quiet cul-de-sac, not a through road. Increased noise and air pollution. Loss of privacy and overlooking to existing properties. The houses on the west side are too close to Summersvere and Kenmara Closes. Residents will not be able to enjoy their quiet gardens. Existing accesses from the rear gardens directly onto the site should be retained.

Summersvere Woods should be protected. The buffer zone between the development and woodland is insufficient and will impact on the ecosystem through overuse. Recreational use, such as walking, playing and dog walking, will be catastrophic for ancient woodland, which cannot be repaired. There is inadequate protection for existing trees. The trees at the top of Birch Lea should be protected. An additional 189 trees will be required with proposed tree loss. The woodland could attract anti-social behaviour and crime. Proposal would involve loss of trees and wildlife, such as deer, will be trapped in the woods. Adverse impact upon deer, bats, foxes, birds and rabbits. Loss of existing open space for dog walkers.

The reduction in area of sports pitches is unacceptable. The sports pitches will harm amenity for houses at the northern end of Tinsley Lane, through noise, proximity and floodlighting. The 3G pitch is too close to houses to the west and concreting over open space to form an artificial pitch is unacceptable. The clubhouse should be sited away from houses. The proposed pitches should be switched around and details given of screening, fencing and floodlights. Inadequate parking details for the football club have been given. The sports facilities need to be subject to a management plan covering hours of use, maintenance, parking, behaviour of users, complaints handling and access arrangements for local residents. Will the large pitch be subdivided for a series of smaller matches, which would increase traffic and noise from players. There should be a sinking fund for maintenance of the pitches. Trees screen residents from the Goods Yard and Eezehaul floodlights, but would not screen the floodlights for the pitches. Increasing the number of sports pitches as requested by Sport England would reduce the number of houses and help address the traffic implications.

Proposal could lead to increased rainwater run-off affecting Birch Lea and other roads. This would be worsened if gardens in the new houses are hardsurfaced. Surface water run off should be directed away from Tinsley Lane houses. Density should be reduced to allow more rainwater to be absorbed. Water storage within the site could cause problems for residents.

How will residents be compensated for loss of property value? Potential buyers have withdrawn offers due to the proposed access.

Tinsley Lane Residents Association (TLRA) expressed concerns that a high density development of 150 houses is unsustainable due to access constraints. The area is more suited to lower density family housing. A smaller number of homes would allow a more sensitive and sustainable design, better address ecology and improve transport concerns. TLRA does not accept Homes England's argument that the number of homes is needed for viability and to buy out existing leaseholders. It would lead to a variety of transport concerns. Safety and parking issues associated with use of Birch Lea must be addressed. Safe exits must be provided from Maxwell Way and Tinsley Lane onto Gatwick Road. Traffic calming should be introduced

in Tinsley Lane to reduce speeds and rat-running. Kenmara Court should be adopted by WSCC. TLRA has submitted its own road safety audit. The Residents Association remains concerned that Birch Lea residents will have insufficient visibility to exit their drives safely and feels that these concerns have not been properly considered or addressed. They feel that visibility distances are below the safe stopping distances at 20 mph. There is insufficient open space for informal ball games and, if fenced off, ad hoc use by residents of the new facilities will not be possible. Any future relationship between the Council and Oakwood FC should be made clear. Surface water drainage affecting Ezehaul and Tinsley Lane houses must be addressed. Low water pressure should be addressed and foul water capacity improved. New sports facilities should be equivalent to those existing. Noise is a constant threat for Tinsley Lane residents and the Goods Yard operators state that insufficient information has been submitted. There must be agreed testing to ensure any housing meets an appropriate standard. The northern part of the site is currently unlit. Lighting for the development, including floodlights, could affect bats and the amenity of the area.

Manor Royal BID, whilst recognising housing needs, urges consideration of the potential conflict with the normal operations of businesses on the east side of Manor Royal. Provision for Oakwood FC is welcomed and community use of the facilities could benefit Manor Royal businesses and employees. Careful consideration should be given to traffic generation and overspill parking in this busy and congested area. Air quality issues should also be addressed and efforts made to reduce queuing traffic. Contributions towards transport improvements should be sought.

Crawley Goods Yard Operators have commented in detail on the application, including submitting a Noise Technical Note from their noise consultants and raising a number of queries about the noise survey work and mitigation proposals made by the applicant. The Goods Yard Operators object to the application on the grounds that it does not comply with the Development Brief's noise requirements. They remain concerned that the illustrative internal layouts show dining rooms, kitchens and studies facing the Goods Yard. Residents will want to open windows in these rooms, which could cause complaints and curtail operations at the Goods Yard. Acoustics, ventilation and overheating all need to be addressed. These issues need to be considered and addressed at outline stage. However, they state that the objections could be resolved by the submission of more detailed parameters and layout plans showing the barrier block and the location of noise sensitive rooms, by further clarification and by the imposition of appropriate conditions.

Ezehaul, who occupy the commercial unit immediately to the north of the site, comment that they have been aware of the plans for some time. They believe it will generally have minimal impact upon their business. The Ezehaul site has suffered from surface water run-off and flooding from the northern part of the application site. The company understands that this will be rectified as part of the development proposals, which should address damage to the Ezehaul site and provide a better surface for sports. The company seeks assurances that the drainage improvements will be secured as part of the scheme.

BOC object unless a noise condition is attached to ensure that future residents would not be unacceptably impacted by the noise climate, including BOC's operations in Fleming Way. The Fleming Way site operates 24 hours per day, five days per week and is 685 metres from the site. Noise survey work should be undertaken when BOC is operating. Failure to protect BOC's operation could affect the local economy and jobs.

REASON FOR REPORTING TO COMMITTEE:-

The application is for major development.

THE APPLICATION SITE:-

- 1.1 The application site is situated between Tinsley Lane, Crawley Avenue, the London to Brighton main line railway and, along the northern boundary, Manor Royal. In the eastern part of the site, running alongside the railway line, is Summersvere Woods. The western half of the site is fairly flat, at a higher level than Summersvere Woods and has a longstanding use as sports pitches. Oakwood Football Club is located at the southern end of the site. The club has a full sized grass pitch with barrier around, a pavilion building, changing facilities and stands. The ground is enclosed by a fence and is floodlit. There is a telecommunications mast and related equipment in the south-east corner of the ground. The central part of the application site is grassed and used primarily as training pitches and for junior matches. The northern section of the site was previously used as a sports pitch, but fell into disuse a number of years ago.

- 1.2 Vehicular access to the site is through Kenmara Court, which is accessed eastwards off Tinsley Lane towards the northern end of the site. The vehicular access leads around the eastern boundaries of houses in Kenmara Close and Birch Lea southwards to Oakwood Football Club's car park. Pedestrian access to the site is also possible from Birch Lea. Summersvere Woods has no formal public access rights, although there are some footpaths within the woods.
- 1.3 The surrounding area contains residential properties to the west, along Tinsley Lane and within Kenmara Court, Kenmara Close, Birch Lea, Summersvere Close and Harewood Close. Neighbouring to the north is Crawley Goods Yard, a minerals depot accessed by rail, and an Ezehaul distribution depot, both of which lie within the Manor Royal Main Employment Area.
- 1.4 There are a large number of trees on the site which are protected by individual or group Tree Preservation Orders. Summersvere Woods is designated ancient woodland. Land to the north (depot and Goods Yard) and to the east (railway) are shown as potentially contaminated on Council records. Crawley Goods Yard forms a Safeguarded Site for minerals. A strip of land along the eastern boundary, within Summersvere Woods, forms part of the railway buffer. The Air Quality Management Area along Crawley Avenue extends into the southern part of the site by a maximum of approximately 28 metres.

THE PROPOSED DEVELOPMENT:-

- 2.1 Outline planning permission is sought for the formation of a new vehicular access from Birch Lea, amendments to the existing vehicular access from Kenmara Court and development of the site comprising the erection of up to 150 residential units, demolition of the existing Oakwood Football Club ground, the provision of new sports facilities including a full size artificial pitch, a 9 a side grass pitch, a clubhouse, floodlights and fencing, the provision of new open space and woodland access and other ancillary works. Full approval of access arrangements is sought at this stage, with all other matters (appearance, landscaping, layout and scale) reserved for future consideration.
- 2.2 In support of the application, the applicant originally submitted the following documents:
 - Design and Access Statement
 - Planning Statement
 - Statement of Community Involvement
 - Transport Assessment
 - Travel Plan
 - Heritage Statement
 - Archaeological Desk Based Assessment
 - Extended Phase 1 Habitat Study
 - Reptile Survey Report
 - Bat Survey Report
 - Arboricultural Study
 - Woodland Management Plan
 - Sound Impact Assessment
 - Air Quality Assessment
 - Flood Risk Assessment
 - Drainage Strategy
 - Phase 1 Geo-Environmental Desk Study
 - Baseline Utilities Statement
- 2.3 The plans submitted were:
 - Illustrative Masterplan
 - Kenmara Court Football Club Access and Emergency Access
 - Tree Impact
 - Proposed Vehicular Access

- 2.4 Following a letter from the case officer in December 2018, which raised a number of issues to be addressed, the applicant submitted a written response, two drawings and a number of supporting documents in October 2019. The additional drawings/documents are:
- Response to Crawley Borough Council Queries
 - Design and Access Statement – Addendum
 - Phase 1 Habitat Study Update
 - Bat Survey Report Final
 - Revised Illustrative Masterplan
 - Building Heights Plan
- 2.5 Prior to the submission of the current planning application, the proposal was the subject of a request for a Screening Opinion (CR/2017/3001/EIA) under the Environmental Impact Assessment regulations. A Screening Opinion was issued by the Council on 6 February 2017 confirming that Environmental Impact Assessment of the proposed scheme was not required.
- 2.6 The proposed development was also the subject of public consultations by the applicant, including an exhibition held at Oakwood Football Club, prior to the submission of the outline application.

PLANNING HISTORY:-

- 3.1 The first planning application (CR/165/58) for sporting use of part of the site dates back to 1958. That application related to the Redifon Sports Club at the northern end of the site. As well as having sports pitches, that site had a clubhouse. The clubhouse was demolished sometime between 2008 and 2012 according to aerial photographs, although its base remains in situ.
- 3.2 The central part of the site was variously used as a sports ground known as Stone Platt, Duracell and later Virgin Atlantic. The original outline permission (CR/229/62) from 1962 was followed by various minor applications for extensions and alterations related to the sports/social club use. Floodlights were also permitted in planning applications in 1990 (CR/337/90) and 1993 (CR/93/0058/FUL).
- 3.3 At the southern end of the site, the original permission (CR/403/61) for Oakwood Sports and Social Club was an outline permission for a sports ground and pavilion in 1961. There have been subsequent permissions for extensions and alterations in relation to the clubhouse, changing facilities and to form a grandstand. The installation of floodlights was approved under application CR/582/87.
- 3.4 The only recent formal decision (CR/2017/3001/EIA) was the EIA Screening Opinion for “*Mixed use recreation/residential. Residential development (maximum 150 dwellings) and relocation of Oakwood Football Club.*” As stated above, the Screening Opinion stated that Environmental Impact Assessment was not required.

PLANNING POLICY:-

National Planning Policy Framework

- 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. The following sections are of particular relevance to this application:
- Section 2 – ‘Achieving sustainable development’ 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 4 – ‘Decision making’ seeks a positive and creative approach to decisions and supports the use of pre-application discussions.

- 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 LPAs to identify developable sites and to maintain and monitor the supply of housing against the housing requirement.
- 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 that planning policies and decisions seek to achieve healthy, inclusive and safe places that promote social interaction, that are safe and accessible so that crime and disorder and fear of crime do not undermine quality of life and which enable and support healthy lifestyles. Planning decisions should seek the provision and use of shared and community facilities and guard against their loss. Planning policies and decisions should promote public safety and take into account wider security and defence requirements. With specific regard to sports facilities and open space, Section 8 states: *“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
 - a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*
- Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development, including potential impacts on the existing transport network, opportunities for sustainable modes of transport and the need to focus development in sustainable locations. Paragraph 110 states that 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 10 – ‘Supporting high quality communications’ stresses the need for development to incorporate advanced, high quality and reliable communications infrastructure, including full fibre broadband.
- Section 11 – ‘Making effective use of land’ states 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. Paragraphs 122 and 123 seek to ensure efficient use though achieving appropriate densities on each site.
- Section 12 - ‘Well designed places’ states that the *“creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”* 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 wellbeing, 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 14 – ‘Meeting the challenge of climate change, flooding and coastal change’ seeks to ensure that the planning system supports the transition to a low carbon economy to address climate change, radically reduce greenhouse gas emissions and address flood risk and resilience. Renewable and low carbon energy, including decentralised local energy sources, should be supported. Major developments should generally incorporate sustainable drainage systems.
- Section 15 – ‘Conserving and Enhancing the Natural Environment’ states that development should contribute to and enhance the natural environment, by providing net gains for biodiversity and protecting trees and woodland. Development resulting in the loss or deterioration of irreplaceable habitats, such as ancient woodland, should normally be refused. 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. Paragraph 182 introduces the ‘agent of change’ principle, stating that planning decisions *“should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.”*
- Section 17 – ‘Facilitating the sustainable use of minerals’ seeks to ensure a sufficient source of minerals to meet need and paragraph 204 states that policies should safeguard existing sites for the transport, handling and processing of minerals and other materials. The planning system should also address impact upon human health, including through noise.

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) states that 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) confirms that 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 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. This site is identified as a deliverable site for housing and open space.
- Policy H3 (Future Housing Mix) states that 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) states that all development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- Policy ENV5 (Provision of Open Space and Recreational Facilities) states that 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) states 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 ENV12 (Air Quality) states that development proposals that do not have a material negative impact upon air quality will normally be permitted. The policy seeks assessment of the air quality implications of appropriate schemes and, for proposals within an Air Quality Management Area, demonstration of mitigation measures.
- Policy IN1 (Infrastructure Provision) states that 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.

West Sussex Joint Minerals Local Plan

4.3 The Minerals Plan was adopted in July 2018 and recognises the railhead in Crawley. The relevant policy is:

- Policy M10 (Safeguarding Minerals Infrastructure) states that Crawley Goods Yard will safeguarded for the purposes of minerals transportation.

Draft Crawley Borough Local Plan 2020-2036

4.4 The Local Plan Review 2020-2035 has been the subject of consultation and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy SD2: Enabling Healthy Lifestyles and Wellbeing
- Policy CL1: Neighbourhood Principle
- Policy CL2: Making Successful Places: Principle of Good Urban Design
- Policy CL3: Local Character and Design of New Development
- Policy CL4: Effective Use of Land: Sustainability, Movement and Layout
- Policy CL6: Structural Landscaping
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design

- Policy DD3: Standards for All New Dwellings (including conversions)
- Policy DD4: Tree and Landscape Character Planting
- Policy DD5: Tree Replacement Standards
- Policy DD6: Aerodrome Safeguarding
- Policy OS1: Open Space, Sport and Recreation
- Policy OS2: Provision of Open Space and Recreational Facilities
- Policy IN1: Infrastructure Provision
- Policy IN2: The Location and Provision of New Infrastructure
- Policy IN3: Supporting High Quality Communications
- Policy H1: Housing Provision
- Policy H2: Key Housing Sites
- Policy H3: Housing Typologies
- Policy H3f: Open Spaces
- Policy H4: Future Housing Mix
- Policy H5: Affordable Housing
- Policy GI1: Green Infrastructure
- Policy GI2: Biodiversity and Net Gain
- Policy GI3: Biodiversity Sites
- Policy SDC1: Sustainable Design and Construction
- Policy SDC2: District Energy Networks
- Policy SDC3: Tackling Water Stress
- Policy EP1: Development and Flood Risk
- Policy EP4: Development and Noise
- Policy EP5: Air Quality
- Policy EP6: External Lighting
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

Tinsley Lane Development Brief

4.5 The Borough Council has produced and adopted a development brief for the current application site. This was adopted in April 2017. The brief forms a non-statutory planning guidance document. It was produced in accordance with Policy H2 of the adopted Local Plan. It sets out detailed issues to be addressed in any development proposals for the Tinsley Lane site. The Brief specifically covers the following seven Key Policy Directions:

- Residential Development
- Sports Facilities
- Green Infrastructure Provision
- Access, Transport and Parking
- Noise
- Air Quality
- Infrastructure

Supplementary Planning Guidance and Documents

4.6 The 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 where re-provision is not possible on the application site.

Affordable Housing (adopted November 2017) – This SPD includes further guidance on affordable housing policies within the Local Plan.

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.

Community Infrastructure Levy

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

PLANNING CONSIDERATIONS:-

5.1 The main considerations relating to this application are:

- Principle of the development
- Sports provision
- Residential development
- Highways and transport
- Noise, Crawley Goods Yard and Gatwick Airport
- Air quality
- Sustainability
- Aviation safety
- Drainage
- Ecology, trees and Summersvere Woods
- Open space provision
- Minerals
- Other issues
- Affordable housing and infrastructure

Principle of the development

5.2 The application site was allocated in the Local Plan by policy H2 for 120 dwellings as a mixed residential and recreational development. The policy states that development must include:

- i the replacement of Oakwood Football Club;
- ii senior football pitch and facilities;
- iii a junior 3G football pitch;
- iv community use arrangements for the sports pitch facilities;
- v enhancement and management for public access of Summersvere Woods;
- vi on-site publicly accessible play space and amenity greenspace; and
- vii Consideration should also be given to the provision of allotments.

It also states that any development must be carefully planned to minimise conflicts and constraints to the function of the safeguarded minerals railhead at Crawley Goods Yard.

5.3 The policy has subsequently been supported by a Development Brief adopted in April 2017. The Brief provides more detail on the requirements under Key Policy Directions covering:

- Residential Development

- Sports Facilities
- Green Infrastructure Provision
- Access, Transport and Parking
- Noise
- Air Quality
- Infrastructure

- 5.4 The current application seeks outline planning permission for up to 150 dwellings, demolition of the current Oakwood Football Club ground and the provision of new senior (3G) and junior (grass) pitches with clubhouse and related facilities, the provision of open space and access to the woodland and ancillary facilities. An illustrative masterplan has been submitted, which has been revised during the course of the application as the applicant sought to address concerns raised by officers.
- 5.5 The main change since the adoption of the Local Plan and Development Brief has been the increase in the numbers of dwellings proposed to “*up to 150.*” This raises a number of issues regarding the capacity of the site, its ability to physically accommodate 150 houses with appropriate internal and external space provision and also the resulting impact, such as potential overlooking and vehicle movements, upon existing residents in the surrounding area.
- 5.6 The applicant, in responding to officers’ concerns, has highlighted Crawley’s housing needs, its unmet needs within the Borough and the potentially increased provision to meet the Government’s New Standard Methodology. Whilst recognising that the additional 30 dwellings above the Local Plan allocation would help to meet the town’s needs, officers do not accept that this alone justifies the higher number. The Forward Planning team has commented that “*whilst Crawley has a known housing need above that which can be accommodated within its boundaries, this ‘unmet need’ figure was recognised by the Local Plan Inspector and has been accounted for within the Local Plans for Mid Sussex (2018) and Horsham (2015) districts.*” They also confirm that Crawley is currently exceeding the Local Plan’s annualised average housing delivery figure of 340 dwellings per annum. That said, policy H1 of the Local Plan takes a positive approach to housing proposals which meet local housing needs and will consider all reasonable opportunities for development, whilst guarding against town cramming or unacceptable amenity impacts. Therefore, whilst it is not considered that Crawley’s needs justifies the higher number in its own right, national and local policy requires careful assessment of proposals to help make the best use of land. The capacity of the site is addressed in greater detail below.
- 5.7 With the exception of access, all matters are reserved for future consideration through a later Reserved Matters application. An access is proposed through Birch Lea to access the residential element of the scheme and through Kenmara Court to the proposed replacement sports facilities. The Development Brief states that the Local Highway Authority considers that access is “*in principle, likely to be achievable via Birch Lea and Kenmara Court, subject to design improvements.*” The Brief recognises though that local residents and the Tinsley Lane Residents Association have strong concerns about the impact of using these access points. These are addressed below, but it is not considered that the proposed accesses directly conflict with local policy or the Development Brief.
- 5.8 The proposed development clearly raises a number of difficult matters for consideration, as illustrated by the wide range of objections and comments received. However, it does broadly propose the mix of uses and type of development sought by the Local Plan policy and the Development Brief. As Members will be aware, an outline application effectively seeks to establish the principle of development, rather than providing full details about the proposal. If the matters set out above, and considered in greater detail below, can be satisfactorily addressed, the proposed outline scheme appears to be acceptable in principle.
- 5.9 It is worth noting that although alternative proposals may be possible on the site, and some have been suggested in consultation responses, the Local Planning Authority must assess the acceptability of the scheme as proposed in the outline application.

Sports provision

- 5.10 The site's historic use has been largely, with the exception of Summersvere Woods, for sporting purposes. It remains primarily in sporting use, with Oakwood Football Club occupying the football ground to the south of the site and the central area being in use for both matches and training. The area to the north appears to have been in active sport use up to 2005, judging by aerial photographs, but has subsequently fallen into disuse.
- 5.11 A key policy requirement is to ensure that sports provision, in terms of both capacity and quality, is not harmed as a result of the proposed development. This requirement has played a significant role in shaping the layout and phasing of the development. Originally, a replacement full size grass pitch, with related facilities, was proposed on the northern part of the site to relocate Oakwood FC. Alongside it, a smaller junior 3G artificial pitch was proposed.
- 5.12 As well as being used by the Oakwood first team, the site has also been used in recent years by the reserves, Under 18s, Crawley Wasps ladies first team and by a significant number of junior teams. Sport England raised concerns that the full size grass pitch initially proposed by the applicant would be unable, due to wear and tear, to accommodate use by Oakwood first team, reserves, Under 18s and Crawley Wasps ladies first team. They were concerned too that the smaller artificial pitch would provide insufficient capacity for the junior teams using the wider site currently and also that some of the older junior teams required a larger pitch anyway. Sport England therefore objected to the initial proposal for relocation of the sports pitches.
- 5.13 The Local Plan inspector stated in his report that *“the issue is whether the loss of the central area, which appears to be used mainly for training, would be adequately compensated by the provision of an STP (Synthetic Turk Pitch) pitch alongside the senior pitch on the one playing field that would remain. Provided the STP pitch is large enough for youths and training (Sport England advises 79m x 52m), and wider club/community use can be secured, then despite the quantitative loss there would be a small enhancement to the existing provision in terms of capacity for use ... In these circumstances I consider that the allocation would satisfy NPPF paragraph 74, which seeks to protect existing open spaces (including playing fields) from development in terms of quantity and quality unless equivalent or better replacement provision is made...”* In assessing the scheme, officers and Sport England have assessed as far as possible whether there have been any material changes in use since the Local Plan examination. It has proved difficult to ascertain a clear picture of existing use by the various football clubs using the site. However, although there has potentially been a slight increase in adult teams (such as Crawley Wasps) and older junior teams using the pitches, any change appears limited. In addition, some of these teams appear not to play matches on a weekly basis. Officers have concluded that there is insufficient evidence to support any increase in the area of playing pitches to be provided beyond that assessed at the Local Plan examination.
- 5.14 The applicant's revised proposal, following the original Sport England objection, is now to form one full size artificial grass football pitch (106m x 70m including run-off) and one 9 a side grass pitch (79m x 52m including run-off). As shown on the illustrative masterplan, these would both be located in the currently disused northern part of the site. The masterplan shows the smaller grass pitch located along the Eezehaul boundary, with the goals in an east-west alignment. The larger artificial pitch would lie south of the grass pitch, with a north-south alignment. On the illustrative masterplan, the clubhouse is shown to the east of the pitch and car parking to the south and west.
- 5.15 The pitch sizes are unchanged, but the provision of a larger artificial, rather than grass, pitch will allow more regular use. This would enable it to cope successfully with wear and tear from use by the four adult senior teams. This pitch would also be able to contribute towards meeting training needs of the clubs and enable use for junior matches. The smaller grass pitch would be used for junior teams' training and matches.
- 5.16 The proposed development would involve the loss of existing sporting facilities. Therefore, in responding to the revised proposal, Sport England has assessed the scheme against exception 4 of its playing pitch policy. This states that:

“The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field:

- *of equivalent or better quality, and*

- *of equivalent or greater quantity, and*
- *in a suitable location, and*
- *subject to equivalent or better accessibility and management arrangements.”*

- 5.17 Sport England has provided a very detailed response. In quantity terms, they do have some concerns that the number of pitches would be reduced from four to two and that the area of pitches would also be reduced. However, given the Local Plan allocation, the Development Brief and the revision to provide a larger artificial pitch that could accommodate four adult matches and also some junior matches every week, Sport England consider the proposal to “*broadly accord*” with the policy in quantity terms.
- 5.18 As an outline application, quality of provision is not fully addressed. However, the Illustrative Masterplan shows the layout of the proposed facilities and the applicant has submitted a Design and Access Statement Addendum with illustrative plans of a single storey clubhouse. The latter show that facilities, such as changing rooms for teams and officials, toilets, showers and spectator/social facilities, could be accommodated within a 500 sqm building. Spectator seating could be accommodated within the structure. The detailed design and construction of the pitches and other facilities would need to be addressed through a Reserved Matters application.
- 5.19 In addressing exception 4 of its policy, Sport England considers that quality issues can be addressed through Reserved Matters. The proposed location is very close to the location of the existing pitches and Sport England is satisfied that existing users and spectators would be able to access the new facilities by a variety of transport modes. On management arrangements, Sport England understands that a 60 year lease (longer than the current lease) has been offered to Oakwood FC by Homes England. Subject to management arrangements and community use provisions being secured, Sport England is satisfied that this issue has been addressed.
- 5.20 Phasing also needs to be satisfactorily addressed. The proposal is to commence development on the new sporting facilities alongside residential development on the central portion of the site. Sport England require the new full size pitch and related facilities to be completed and made available for use before any development commences on the Oakwood FC ground. This is as a result of the difficulty in finding alternative comparable facilities of an appropriate grading to meet the relevant league requirements for Oakwood FC.
- 5.21 Development of the central portion before completion of the new facilities would displace existing junior teams and lower standard adult teams on a temporary basis. It would also affect training provision. Whilst this could be contrary to the Development Brief and Sport England’s policy, Sport England accepts that this can be required to facilitate delivery of new sports facilities. For a limited temporary period, Sport England is willing to accept this situation, subject to the developer making arrangements for alternative facilities to be available for existing users of the central portion of the site. This can be addressed through a legal agreement.
- 5.22 Taking account of the above criteria, Sport England considers that the revised proposal is acceptable and withdrew its objection subject to the following range of issues being fully addressed through a S106 agreement:
- Football Facility Provision
 - Natural Turf Pitch Construction Scheme
 - Oakwood Football Club Lease
 - Football Facilities Management Scheme
 - Football Facilities Community Use Agreement
 - Football Facilities Phasing and Delivery
- 5.23 In terms of the quality of the facilities, Oakwood Football Club play in Division 1 of the Southern Combination Football League. The National Ground Grading Document requires a Grade H stadium for clubs in Oakwood’s current division. Achieving Grade G prior to 31 March in any year is required for promotion and Grade F would apply for promotion from the Premier Division. In order to future proof the proposal to meet Oakwood’s requirements in the foreseeable future, the applicant proposes that the new ground should achieve a Grade F grading. This can be addressed through S106 requirements.

5.24 Through the Local Plan, Development Brief and current application, the applicant, Sport England and the Council has given careful consideration to addressing sporting issues. Sport England has now withdrawn its earlier objection, subject to a detailed and specific range of facilities and arrangements being secured. It is worth clarifying these requirements in detail. Sport England's response concludes that it has no objections subject to:

“Football Facility Provision

A Section 106 agreement should specifically make provision for all of the proposed football facilities to be delivered by the applicant in the northern parcel of land on the application site in accordance with the outline planning permission (and subsequent reserved matters permissions). This is required to ensure that provision is made for the replacement football facilities and to ensure that the details that are submitted as part of a reserved matters application ensure that fit for purpose replacement facilities are proposed which demonstrate that equivalent or better quality facilities are delivered in practice. Prior to construction of any of the football facilities, provision will need to be made for details of the football facilities to be submitted and approved (in consultation with Sport England) in accordance with the following specification:

Clubhouse

- *General: Clubhouse designs should be in line with FA guidance contained in the Football Foundation Data Sheets for Changing Accommodation and to meet FA Ground Grading Grade F*
- *Internal Floorspace Area: Overall footprint of at least 500 sqm; Changing rooms: Minimum of 18m² of usable changing space (not including toilets and showers).*
- *Changing room toilets: A minimum of two WC toilets (self-contained) per changing room.*
- *Showers: A minimum of four shower heads plus a dry-off area of 8m².*
- *Officials Changing: 2 changing rooms that would be separate and self-contained with a shower and toilet facility of a minimum of 6m² each.*
- *Spectator/disabled toilets: Separate facilities to the players' toilets.*
- *Storage facilities.*
- *Bar*
- *Catering Space*
- *Hospitality: To meet Ground Grading Grade F, a separate room or reserved area must be made available in which refreshments for Directors/Committee and guests to be served.*

Artificial Grass Pitch and Ancillary Facilities:

- *General: AGP design should be in line with FA guidance contained in the FA Guide to 3G Football Turf Pitch Design Principles and Layouts (attached) and meet FA Ground Grading Grade F requirements*
- *Playing area to be 100m x 64m excluding run off area (+ run-off = 106m x 70m)*
- *FIFA Quality Accreditation: The pitch will need to be designed to meet the FIFA Quality standard <http://quality.fifa.com/en/Football-Turf/Install-Football-Turf/Certification/> and for ground grading purposes and will need to be tested annually to remain on the FA 3G register. A separate planning condition imposed on a reserved matters planning permission would be sought to secure this.*
- *Boundary: The ground must be enclosed by a permanent boundary. As a general rule, the minimum height, when measured from outside the ground, must be 1.83 metres.*
- *Pitch perimeter barrier – 1.1m high. Any barriers installed at new grounds should be purposely designed, with integrated infill panels as required and be made from UPVC or coated metal.*
- *3m between touchline and pitch perimeter barrier*
- *Hardstanding of 0.9m from pitch barrier for spectators to stand on around 3 sides of pitch.*
- *Covered trainer's boxes accommodating at least 8 fixed seats/benches (each 10m long with a 3m gap between).*
- *Safe walkway - There must be a safe, unimpeded passage for players and match officials between the dressing rooms and the pitch.*
- *PA system*
- *A turnstile / pay-box*
- *Toilet facilities available within the ground for spectators;*

- *The minimum covered accommodation must be 200, of which at least 100 must be seated. These 100 seats, in not more than 2 stands, may be inclusive of Directors/Committee and press seating. No stand may have less than 50 seats. There must be a minimum of 16 seats provided for Directors/Committee and guests with a minimum of 8 seats provided for the visiting club. These seats must be clearly marked “Home” and “Away Directors”.*
- *Floodlighting system: Will need to meet BS 12193 Class 2 and have an average lux reading of at least 200 to accord with recommendations for full size 3G pitches. The floodlighting design will need to accord with the FA’s Guide to Floodlighting (attached). It should be noted that the lux level proposed in the Design and Access Statement of 120 lux is inappropriate for 3G AGPs.*

9v9 Natural Turf Football Pitch

- *General: Design and construction should accord with Sport England’s Natural Turf for Sport guidance <https://www.sportengland.org/facilities-and-planning/design-and-cost-guidance/natural-turf-for-sport/>*
- *Playing area to be a minimum of 73m x 46m excluding run off area (+ run-off =79m x 52m)*
- *Feasibility study (prepared by a sports turf consultant) and a construction specification required for the design and construction of the pitch (this would be secured through a planning condition)*

In addition the Football Foundation have advised that a future management plan and community use agreement for the facilities will need to make provision for the following with respect to the 3G AGP:

- *Pricing - Pricing policies must be affordable for grass roots football clubs and should be agreed with the local County Football Association. This should include match-rates at weekends equivalent to the Local Authorities price for natural turf pitches.*
- *Sinking fund - Ensure that sinking funds (formed by periodically setting aside money over time ready for surface replacement when required – FA recommend £25k per annum (in today’s market for a full size pitch) are in place to maintain 3G pitch quality in the long term.”*

5.25 Officers are satisfied that, subject to measures to secure phasing, delivery and management of replacement sports facilities meeting the detailed specification set out above and to the agreement and implementation of temporary measures to relocate existing users, the revised proposal is acceptable in sporting terms. The various requirements can best be secured through a Section 106 agreement and through consideration of a future Reserved Matters application.

Residential development

5.26 As set out above, the outline application proposes up to 150 dwellings, against a Local Plan allocation of 120 dwellings. The figure of 120 dwellings was set by the Local Plan Inspector, reducing the originally proposed allocation for 138 dwellings. The reduction was because the Inspector had some doubts about the capacity of the northern part of the site to accommodate the required sports facilities. Given the possible need to site some provision, such as the car park, on the central part of the site, he concluded *“a modest reduction in site capacity to 120 dwellings is a more robust figure at this stage, though the potential for 138 dwellings remains if at detailed design stage the northern field is found to have the capacity to deliver the full range of playing pitch facilities.”*

5.27 The applicant has submitted an Illustrative Masterplan, which attempts to demonstrate that the site has the capacity to support 150 dwellings. Officers raised significant concerns about the illustrative layout, the garden sizes and about the potential impact upon some existing houses through issues such as overlooking. The applicant responded by submitting a revised illustrative masterplan and a Design and Access Statement Addendum. Following further concerns from officers that some garden sizes appeared too small, the applicant has clarified that a total of 8,140 sqm is shown on the illustrative masterplan, against an Urban Design SPD requirement (based on the illustrative housing mix) of 6,660 sqm. The agent has also confirmed that the illustrative masterplan shows internal floor areas that meet or, in the case of the larger units, exceed the requirements of policy CH5. The Design and Access Statement Addendum states that parking provision will be in accordance with the Council’s car parking standards. . As set out above, the sports provision has

been shown, to Sports England's satisfaction, to fit within the northern portion of the site. Subject to addressing the relationships to existing housing and within the scheme, such as avoiding overlooking concerns, officers consider that the applicant has demonstrated to a level of detail sufficient for an outline application that up to 150 dwellings could be accommodated within the site.

- 5.28 Local residents have expressed concerns about the density of the proposed development being out of character with the surrounding area. They highlight that existing density is around 20 dwelling per hectare. The proposed density would be around 50 dwellings per hectare as shown on the illustrative masterplan. The proposal would therefore be significantly denser than surrounding development. The Local Plan does not contain a policy on density, although the emerging draft plan does. The NPPF promotes maximising the effective use of land as a key objective for planning and states that development should “*achieve appropriate densities.*” Following the submission of additional information, officers are satisfied that a layout could be achieved that meets the Council's internal and external space standards. Whilst the proposed density is higher than the surrounding area, the lower density of existing dwellings to the west reflects the generally larger rear gardens. The application site would not be clearly visible from Tinsley Lane which, while an attractive sylvan area, is not covered by specific designations, such as conservation area status. The site is relatively self-contained and officers do not consider that refusal could be justified on the grounds that the proposed density would, in itself, harm the character of the surrounding area.
- 5.29 The design and appearance of the development is not for consideration as part of this outline application. In broad terms, the illustrative scheme is terraced to the north, east and south (for noise and air quality reasons) with central areas containing semi-detached and smaller terraced housing. The design of the buildings will need to be carefully considered, particularly to ensure that noise and air quality considerations do not create blank and unattractive elevations. The north and east elevations will be particularly visible and require a high quality treatment. These detailed issues would be addressed through a Reserved Matters application.
- 5.30 The applicant has responded to a query from officers about the housing mix by confirming the following proposed mix:

	Policy H3 mix	Proposed mix	Difference in unit numbers
1 bed	19-24	24	+5 to 0
2 bed	57	63	+6
3 bed	43-48	40	-3 to -8
4+ bed	25-26	23	-2 to -3

The illustrative scheme is shown as 40% flats (60 units) and 60% houses (90 units). Officers consider this mix to be broadly compliant with the policy. Local residents have raised concerns that too many flats are proposed and that this is an area for family housing. It is important though that any development on larger sites deals appropriately with the town's required housing mix. Many people living alone, as couple or in small family groups may choose to live in a flat, but may also wish to live in a location such as Tinsley Lane. Officers do not consider that the proportion of flats shown is unacceptable and it broadly meets the mix required by Council policy. The applicant is clear though that the scheme's mix will be assessed at Reserved Matters stage to ensure that it meets needs at that time appropriately. This is considered acceptable and details of the proposed mix can be secured by condition.

- 5.31 The Council's Refuse and Recycling team commented on the initial and revised masterplan, stating that they had concerns about the accessibility of the refuse/recycling stores for collection vehicles and the possible pull distances involved. This, together with the size and capacity of the stores for any flats, would need to be addressed by any Reserved Matters application. As a detailed point, it is considered that it can satisfactorily be addressed by condition at this outline stage.

Highways and transport

- 5.32 The application proposes relocation and concentration of the sports facilities in the northern part of the site and the construction of a residential development on the southern part of the site. Full permission for the proposed access arrangements is sought as part of the outline application.

- 5.33 The new residential element of the proposal would be accessed through Birch Lea, along which the applicant proposes highway works. These works would remove some of the existing grass verge to widen and realign the carriageway and to provide three new parking bays. A new footpath would be created on the northern side of the road. The proposed new sports facilities would be accessed through Kenmara Court. Kenmara Court would be more formally laid out, with dropped kerbs provided to existing driveways. Other than an emergency access and a pedestrian link, there would be no direct connection for vehicles between the north (sports) and south (residential) sections of the proposed development.
- 5.34 Highways and access issues have been the subject of considerable discussion and comment during the Local Plan consultations and examination and also through consultations prior to and after the submission of the current application. In particular, the proposed use of Birch Lea, currently a residential cul-de-sac of ten houses, has raised major concerns amongst residents. Understandably they have expressed concerns about the impact of the potential change from a small cul-de-sac to an access serving a total of up to 160 homes. Issues raised include increased traffic movements, related highway safety issues and impact upon residential character.
- 5.35 The Local Highway Authority concluded that Birch Lea was a suitable access point as part of the Local Plan examination. Homes England subsequently, in response to residents' concerns, undertook a review of ten potential access points to the development. The accesses assessed included three from the north (through the Goods Yard and Eezehaul sites), five existing residential roads (Kenmara Court, Kenmara Close, Birch Lea, Summersvere Close and Harewood Close), one from Crawley Avenue (A2011) and one from Forge Wood. They were assessed against a range of factors, including technical feasibility, ownership, effect and constraints, delivery and cost.
- 5.36 Apart from Kenmara Court and Birch Lea, accesses via existing residential roads would involve third party land purchase and the demolition of existing houses. The three accesses from the north would all involve third party land and may adversely affect the operations of the existing businesses, including the Goods Yard which is safeguarded in the Minerals Plan. Access from Crawley Avenue would be significantly more expensive, may exacerbate air quality and noise issues, would involve significant tree loss, would reduce the site's capacity and would require left turn in and out which, in turn, could affect traffic flows and accessibility. Access from Forge Wood over the railway would need Network Rail approval and would cost £6-8 million. The appropriateness of Kenmara Court and Birch Lea as accesses will be considered in more detail below, but it would be fair to say that the review of potential access points, taking into account the variety of factors involved, does not appear to have revealed a significantly better option.
- 5.37 Tinsley Lane Residents Association and individual residents have made suggestions for alternative access arrangements, including a one way system through the development (eg traffic enters through Birch Lea and exits by Kenmara Court). Some residents feel that Kenmara Court would be a better access point for the housing. The Local Highway Authority has commented on the suggestion that a one way system could operate through the development. They highlight that further work would be needed on enforcement, vehicle tracking for larger vehicles and a Road Safety Audit. They also consider that Kenmara Court could form a satisfactory access.
- 5.38 WSCC Highways have confirmed that the currently proposed residential access using Birch Lea is acceptable to the highway authority and, in planning terms, it is the submitted scheme's acceptability that must be assessed. The applicant is clear in proposing use of Birch Lea (residential access) and Kenmara Court (sports access) and the decision must be taken on that basis.
- 5.39 The Residents Association also submitted their own road safety assessment. The Local Highway Authority has reviewed the assessment but comment that it was not prepared in accordance with their audit policy. The Local Highway Authority reiterates that it is satisfied with the applicant's audit, which was undertaken by a company independent of the design team.
- 5.40 The proposed residential development is anticipated to generate 83 morning peak and 84 evening peak two way vehicle movements using Birch Lea. The modelling undertaken shows that the junctions of Birch Lea/Tinsley Lane and Tinsley Lane/Gatwick Road would both continue to operate satisfactorily. In terms of mitigation, although not strictly required as a result of the proposed development, a traffic calming scheme along Tinsley Lane is proposed by the applicant. This would

be the subject of further consultation with local residents, but could help to address existing and future parking and traffic flow issues.

- 5.41 In terms of parking, the agent has stated that the scheme would provide one space per one bed dwelling, 1.2-1.5 spaces per two bed dwelling and 2-3 spaces per 3+ bed dwelling. That standard applies in Three Bridges, but only in an area closer to the railway station. The correct standard would increase the overall parking by 4.8 spaces, but the scheme can probably be adjusted to accommodate this. A Travel Plan and possibly car club provision could assist in managing demand. Accordingly, and subject to a Reserved Matters application showing further detail, the residential element is considered acceptable in parking terms. To the north, the Kenmara Court access would lead to a car park serving the new sports facilities. The sports facilities would have a regular car park containing 52 spaces and further match day parking potentially of another 40-50 spaces. The Council's parking standards require one space per 15 seats for a stadium and twelve spaces per hectare for playing fields. The stadium requires covered accommodation for 200 spectators, of which 100 must be seated. The sports pitches cover around two hectares. Using the standards, including 200 spectators, the requirement would be 37 spaces. The proposed facilities could be likely to be used on a more intensive basis than grass playing fields, but the level of provision shown is significantly in excess of this standard. The Local Highway Authority has raised no objection to the sports provision on parking grounds and it is considered that, subject to Reserved Matters details, the provision is acceptable.
- 5.42 The Local Highway Authority seeks a Travel Plan and also suggests that car club provision on the site may be appropriate. Car club provision can help to reduce vehicle ownership and potentially could help reduce traffic movements and parking demand as well as offering a sustainable transport travel option. Any car club would open to existing residents too. It is considered appropriate to seek such provision for sustainable transport reasons and to help mitigate the potential impact upon existing residents.
- 5.43 Highways England responded to the consultations confirming that, whilst the agency does not agree with the applicant's trip distribution, it is satisfied that trips generated would not be at a level to affect the safety or operation of the Strategic Road Network. Consequently, Highways England raises no objection.
- 5.44 The Walking and Cycling Forum has commented on the need to ensure a safe environment for all road users. They highlight the need to avoid problems such as pavement parking, reducing speeds at the Birch Lea/Tinsley Lane junction and a possible 20 mph speed limit. They stress the need for appropriately located cycle storage with sufficient capacity and raise concerns about the provision shown on the illustrative masterplan. The Forum also suggests that pedestrians and cyclist could potentially use the Kenmara Court access. The issues raised are all valid, but are detailed ones and would need to be addressed through any Reserved Matters application or under other legislation. Cycle parking provision can be secured by condition on an outline application.
- 5.45 In its initial response on the application, WSCC Highways recommended that the applicant undertake further work to assess a potential traffic calming scheme for Tinsley Lane. Subsequently, a draft traffic calming scheme has been produced. Discussions between the applicant and WSCC Highways have concluded that it would be more appropriate to secure a financial contribution from the applicant towards the works. This could allow them to be integrated with the Local Highway Authority's other proposals for the surrounding area. Any traffic calming would be subject to separate public consultation with local residents before it was implemented. The principle of securing a financial contribution through a S106 agreement is considered an acceptable way to progress this in planning terms and the developer has indicated a willingness to make such a contribution. The Local Highway Authority is seeking £166,445.
- 5.46 Network Rail has commented with regard to the potential impact upon the railway adjoining the site. They highlight potential issues such as encroachment, additional loading on cuttings, oversailing the railway, appropriate tree planting and future maintenance and security. Network Rail raises no objection. The nearest development would be 80-90 metres from the railway, with Summersvere Woods located on the intervening land. It is not considered likely that either construction work or the future development itself would create issues for Network Rail with regard to the issues raised.

Officers consider that this issue could be dealt with by an informative to highlight the issues to the developer.

- 5.47 Overall, transport issues arising from the proposal would probably have the most significant adverse impact upon existing residents, particularly in Birch Lea. People living in Birch Lea will undoubtedly notice increased levels of traffic movements and this will undoubtedly cause some harm to their residential amenity. The proposed traffic calming should bring some benefit in reducing use of Tinsley Lane as a through route for Manor Royal traffic and in lowering speeds. This should be beneficial for residents of the wider area. Neither Highways England nor WSCC Highways object to the application in terms of vehicle movements, safety or junction capacity, so it would be very difficult to sustain a transport reason for refusal on those grounds. The impact upon residential amenity for Birch Lea residents, through increased vehicle movements and related noise, needs to be carefully considered, along with other material considerations associated with the proposal. In purely transport, access and parking terms though, the scheme is considered acceptable subject to conditions recommended by WSCC Highways to secure appropriate details and subject to a S106 agreement to secure the proposed traffic calming contribution and to further consideration of a car club.

Noise, Crawley Goods Yard and Gatwick Airport

- 5.48 As highlighted in the Development Brief, the site is affected by noise from a number of sources. To the south, Crawley Avenue traffic causes noise concerns. The Crawley Goods Yard and the London to Brighton mainline causes railway related noise to the east and north-east of the site. Activities within the Goods Yard themselves create noise and have been the subject of complaints from existing local residents. The site also lies between the 54dB and 60 dB noise contours in relation to Gatwick Airport. The noise sources create some regular and fairly consistent noise, such as from road traffic, together with less frequent but high intensity noises, such as from the Goods Yard's activities. Policies H2 and ENV11 of the Local Plan and the Development Brief are clear that any development needs to carefully consider and address noise issues to avoid unacceptable impact upon the amenity of future residents.
- 5.49 Crawley Goods Yard lies to the north-east of the application site. It is accessed by rail from the London to Brighton mainline and by road from Gatwick Road. The site is a safeguarded mineral processing facility protected by policy M10 of the Minerals Local Plan. The County Council, in its role as minerals authority, has raised no objection subject to the proposed development not preventing or prejudicing the ongoing operation of the Goods Yard.
- 5.50 The proposed development would have no direct physical impact on the Goods Yard. However, as stated above, the Goods Yard is a source of potential noise disturbance for the proposed development. It could generate potential noise complaints from future residents. If this resulted in restrictions on the businesses operating from the Goods Yard, this would be economically damaging and contrary to the 'agent of change' principle set out in paragraph 182 of the NPPF. Whilst not objecting in principle, and being open to the submission of further information to address noise issues, the Goods Yard operators have objected on the grounds that it does not comply with the Development Brief's noise requirements.
- 5.51 The main issue is to ensure that, through detailed design, a satisfactory residential environment is created to address any noise issues. Subject to this, the scheme is considered acceptable in relation to the continued operation of the Goods Yard businesses. Noise issues are considered in more detail below.
- 5.52 The basic principle shown on the illustrative masterplan to address Goods Yard noise is to create a barrier block with some of the proposed housing in the north-east part of the residential site. This block will help to stop noise from reaching the remainder of the development. This approach has been used at Forge Wood and is acceptable in principle to Environmental Health.
- 5.53 However, the barrier block itself would contain residential units and noise levels within the units needs to be considered. The applicant has submitted some illustrative layouts for potential houses and flats within the barrier block. The aim was to demonstrate that internal layouts could be achieved which eliminated the need for habitable rooms with openable windows facing noise

sources that could cause significant disturbance. Environmental Health have considered these illustrative layouts. The illustrative flat layout shows a two bedroom flat with living room and bedrooms facing away and only the kitchen, bathroom and hallway facing towards the Goods Yard. The illustrative three storey house layout shows a garage and hallway (ground floor), kitchen/dining room (first floor) and bathroom/en-suite (second floor) facing the Goods Yard. Whilst the location of the dining room initially raised concerns, the applicant submitted noise information to demonstrate that night-time is the period when the Goods Yard is most likely to cause disturbance. Given that a dining room would not be in use overnight, Environmental Health consider that the layout is, in principle, satisfactory in noise terms.

- 5.54 The Goods Yard operators remain concerned that the illustrative internal layouts show dining rooms and kitchens facing the Goods Yard. Residents will want to open windows in these rooms, which could cause complaints and curtail operations at the Goods Yard. They state that acoustics, ventilation and overheating all need to be addressed.
- 5.55 Following the submission of further and more detailed noise contour information, Environmental Health have confirmed that, in terms of an outline planning application, they are satisfied with the illustrative layouts and noise mitigation proposals. Further information will, of course, be required as part of any Reserved Matters application. Environmental Health therefore raise no objection, subject to conditions addressing maximum exposure levels for the façades of any habitable rooms, noise levels for gardens and NR25 for any mechanical ventilation. On this basis, and while it is appreciated that the Goods Yard operators remain concerned, it is considered that the applicant has demonstrated that noise mitigation is possible on the site and that further details can be secured through Reserved Matters and by condition.
- 5.56 GAL Planning has also raised concerns on noise grounds, whilst not formally objecting. The illustrative masterplan shows housing falling outside the higher aircraft noise contours in areas falling below the 57dBa noise contour. They state there could be an unacceptable level of noise exposure at the site from aircraft 'go arounds' and easterly departures from Gatwick Airport. GAL considers that provision for noise mitigation for any noise affected development could be addressed by a planning condition and that the responsibility for undertaking appropriate noise mitigation lies with the developer. GAL considers that the outline application will in due course be followed by a detailed full planning application. It is therefore imperative that any housing proposed at this site is designed and orientated in a detailed layout that ensures the future occupants of such residential units will not be adversely impacted from aircraft noise.

Air Quality

- 5.57 An Air Quality Management Area has been designated by the Council immediately to the south of the site, running along Crawley Avenue. The applicant submitted an Air Quality Assessment with the application and updated the document following initial comments from Environmental Health.
- 5.58 Environmental Health have commented that the scheme needs to mitigate its potential to further reduce air quality within the AQMA. A number of issues are suggested to be controlled by condition. These are that no dwelling should be located within the AQMA boundary, that a landscaping scheme to provide a buffer along Crawley Avenue should be agreed, that a Travel Plan should be implemented to encourage a modal shift to sustainable transport and that one tree per dwelling should be planted in accordance with Local Plan policy. In addition, a financial contribution of £54,003 is sought to provide mitigation against increased emissions. It is proposed by Environmental Health that this could be used to provide ground source heat pumps for dwellings within the scheme to mitigate domestic emissions of nitrogen dioxide. Subject to these various provisions, it is considered that the scheme would adequately mitigate any impact upon air quality within the AQMA and that the amenity enjoyed by future residents of the scheme and existing residents in the surrounding area would not be significantly impacted by adverse air quality.

Sustainability

- 5.59 Limited information has been provided on sustainability issues, although the applicant recognises that national and local policies will need to be addressed. This is a detailed design issue. Policy

ENV6 will require appropriate water and energy levels to be achieved for the residential and non-residential elements.

- 5.60 The agent has confirmed that consideration will be given to building performance including energy, boiler systems, light fittings and water consumption. Initial discussions have also been held with Manor Royal BID and Council officers regarding a District Energy Network. Although it is at an early stage currently, further consideration of it and site wide communal energy systems can be made as the scheme's design progresses in accordance with policy ENV7's hierarchy. It is considered that sustainability can be satisfactorily addressed through conditions.

Aviation safety

- 5.61 Aside from the aviation noise issue considered above, GAL Safeguarding has commented on the application from an aircraft safety point of view. No objection is raised, but measures are sought to control possible use of the site by birds. A Bird Hazard Management Plan has been requested, which can be secured by condition. In addition, any landscaping scheme, including any use of water features, should consider the attractiveness to birds. If the outline application is approved, the landscaping scheme would be required by condition and dealt with at Reserved Matters stage. It is also requested that any bird boxes within the scheme cater for smaller bird species. Other comments are made by GAL Safeguarding on lighting and the use of cranes, which can be addressed through conditions/informatives. Overall, subject to appropriate conditions, the proposal is considered acceptable in terms of aircraft safety.

Drainage

- 5.62 An outline drainage strategy has been submitted with the application. This uses Sustainable Urban Drainage System (SUDS) principles to help reduce run-off to adjoining properties and public sewers. The site has low water infiltration rates and there is an existing problem with surface water run-off draining onto the Eezehaul site to the north. The Council's Drainage engineer has been involved in discussions about the proposals. In summary, the proposal is to use SUDS techniques, such as permeable paving and swales to manage run-off and help remove pollutants, before water is stored in a retention pond in the residential element and geocellular storage units under the football pitches and car park. From these, the water will be discharged in part to Summersvere woods and in part to a Thames Water sewer. The Drainage engineer confirms that this is acceptable, subject to full design details and a management and maintenance plan for each SuDS component. He also seeks confirmation from Thames Water that it can accept the discharge. GAL Safeguarding will also need to assess any proposals to ensure that any temporary open water storage does not raise bird strike concerns. Eezehaul has raised drainage concerns. This does form part of the proposals and will be the subject of further work. Full details of surface water drainage can be secured by condition.
- 5.63 WSCC, as Lead Local Flood Authority, has raised no objection. They comment that the site is at low risk of flooding. They support the use of a site specific SUDS system as described with some discharge to the watercourse/main sewer. Thames Water has raised no objection, but comments that the developer should follow the sequential approach to disposal of surface water. Southern Water has confirmed that it is able to supply water to the development.
- 5.64 Further details are required of the proposed drainage strategy. This must ensure that a sustainable approach is taken to manage surface water run-off and address existing issues affecting adjoining sites such as Eezehaul. This is an outline proposal, so it is appropriate that these details are submitted later as further design work is carried out. This can be secured by condition.

Ecology, trees and Summersvere woods

- 5.65 The site is currently largely open with few buildings and limited hardsurfacing. It does however contain a number of mature trees, some hedgerows and also contains a substantial area of ancient woodland at Summersvere Woods. Consequently, it has considerable potential for ecological interest, although clearly the sports pitches, being intensively maintained, will have limited potential.

- 5.66 Summersvere Woods forms ancient woodland. As such, it has considerable ecological value that cannot be replaced. The Council's ecologist has commented that the Reserved Matters application will need to demonstrate a buffer zone of 15 metres around the ancient woodland, within which only semi-natural woodland edge habitat should be provided. Sussex Wildlife Trust has raised a similar point and is concerned that the buffer zone is not shown on the revised illustrative masterplan. The buffer zone is critical to protecting the ancient woodland and to addressing Natural England's standing advice. Although not shown on the revised illustrative masterplan, the Design and Access Addendum confirms that a woodland buffer with a total area of 0.48 hectares would be provided to the west of Summersvere Woods. Subject to further ecological work to establish the precise location and layout of the buffer, this is considered satisfactory in addressing the policy requirements and Natural England's advice.
- 5.67 The woods are proposed to be retained and made available for public access. At present, although appearing to be used informally by the public, there is no authorised access. Subject to mitigation of any resulting adverse ecological impact, use by the wider community could be a significant benefit from the proposal in terms of leisure. The Wildlife Trust requests that further survey work to identify the more sensitive areas is undertaken, in order that footpaths can be aligned to avoid these areas. It is proposed that public use be addressed through a management plan, which can be secured as part of any permission.
- 5.68 In terms of wider ecology, the ecologist is seeking an up to date bat survey ahead of any demolition or tree felling. Sussex Wildlife Trust also seek to ensure that this issue is addressed. The ecologist is also seeking a Construction Environment Management Plan to ensure that wildlife is protected through the development period. In addition, enhancement and net gains should be delivered by the development, in accordance with paragraph 170 of the NPPF.
- 5.69 Natural England has raised no objection to the proposed development. The Council's Ecology consultant has also raised no objection, subject to further details on ecological matters being secured by condition.

Open space provision

- 5.70 The illustrative masterplan and details within the Design and Access Statement Addendum state that a total of 1.46 hectares of amenity open space would be provided, against a policy requirement of 0.45 hectares. The Strategic Planning team commented that the scheme appeared to be slightly (about 100 sqm) short on amenity space provision and expressed concern that allotments are not incorporated within the scheme.
- 5.71 The illustrative masterplan shows amenity space and a children's play area. This is in an appropriate location centrally within the residential element of the scheme, although it would benefit from better natural surveillance from nearby houses. The applicant argues that the proposed woodland buffer, SUDS areas and structural landscaping are also all capable of providing amenity green space and supporting informal recreation, landscaping and paths. The inclusion of these areas largely explains the 1.01 hectares difference above. Whilst the use of these areas as amenity space is possible to some extent, the SUDS areas clearly provide for drainage and surface water storage at times. The woodland buffer is required to protect the ancient woodland. This area needs to be carefully managed and intensive use of it by residents would not be appropriate. At the southern end, the structural landscaping is required as a buffer to Crawley Avenue, in air quality, noise and screening terms. The buffer zone is unlikely to be a particularly desirable place to walk or use for leisure purposes. It is unfortunate too that allotments have not been provided within the scheme, despite being raised with the applicant. However, the overall level of provision of amenity open space is good and the scheme would also support sports provision and access to the woodland. Overall, the level of open space is considered acceptable.

Minerals

- 5.72 Crawley Goods Yard is a safeguarded minerals site in terms of its railhead function. It is protected by policy M10 of the Joint Minerals Local Plan. The Minerals and Waste Planning Authority raises no objection to the proposed development, subject to the decision maker being satisfied that it would not prevent or prejudice the operation of the safeguarded minerals processing facilities. The

development would have no direct physical impact upon the facilities. Any impact would be due to potential future complaints, most likely for noise reasons, from residents and users of the development. Whilst further information will be required through any Reserved Matters application, it is considered that conditions can be imposed to ensure that noise is satisfactorily addressed, as set out above.

Other issues

- 5.73 The applicant has submitted an Archaeological Desk Based Assessment with the planning application. This suggests that the site has limited potential for items of archaeological interest. The Council's consultant archaeologist accepts the findings of the assessment. Despite this, she recommends a condition to secure a programme of archaeological work before development commences, given the size of the site and its potential to contain previously unknown heritage assets below ground level. Subject to such a condition, the proposal is considered acceptable in terms of heritage assets.
- 5.74 Sussex Police has provided comments on the application and recommends that the applicant consider security to create a healthy, inclusive and safe development. The applicant can be advised to consider these issues further in developing the scheme through an informative.

Affordable housing and infrastructure

- 5.75 Homes England has confirmed that the scheme will provide a policy compliant 40% affordable housing on site, with 70% affordable rent and 30% shared ownership. Whilst the scheme cannot, in viability terms, support the 10% low cost housing set out in policy H4, the applicant has offered a sum of £1,000 to be paid to first time buyers purchasing the homes within an additional 10% of the site. This sum could be used to help cover solicitor's fees or for items required as occupants move in. The Housing Enabling and Development Manager welcomes this contribution and the overall affordable housing provisions. These can all be secured through the Section 106 agreement.
- 5.76 The NHS Crawley CCG raises no objection to the proposal, but highlights the increased demand for the already stretched GP service in the area. The proposed development would be CIL liable and the CCG states that it will be seeking a contribution from CIL towards additional capacity at the Bridge Medical Centre to cater for the proposed development.

CONCLUSIONS:-

- 5.77 The proposed development would take place on a site allocated within the Crawley Borough Local Plan for use for residential and open space. The proposed sports facilities would form an acceptable replacement for the existing facilities on the site and address the requirements of policy H2. Phasing can be agreed to ensure that all teams currently using the existing facilities can continue operating during the development period. The proposed housing would help to meet Crawley's needs and includes affordable housing in compliance with policy H4. The applicant has demonstrated that the additional housing numbers proposed above the Local Plan allocation can be satisfactorily accommodated given the constraints on layout through issues such as noise and air quality. All potential access options have been thoroughly explored. The applicant has proposed the use of Birch Lea and Kenmara Court and these routes are considered acceptable by the Local Highway Authority. The applicant has provided sufficient information on noise to satisfy the requirements of an outline application. There are a number of matters, such as noise mitigation and relationship to neighbouring properties, which need to be addressed in more detail. Officers are satisfied that appropriate controls over these matters can be secured through conditions and a S106 agreement for the current application and details submitted through any Reserved Matters application. The scheme offers other benefits, such as public access to Summersvere Woods and improvements to the site's drainage. Overall, whilst recognising the concerns of local residents and businesses and also that the proposal would have some harm to the amenity enjoyed by existing residents, the scheme is considered appropriate in terms of sports and residential provision, broadly accords with the Local Plan allocation and Development Brief, and is therefore recommended for approval.

RECOMMENDATION RE: CR/2018/0544/OUT

PERMIT subject to a Section 106 agreement to secure the following:

- Provision and implementation of a scheme to deliver 40% on-site affordable housing, with a tenure split of 70% affordable rent and 30% shared ownership;
- For an additional 10% low cost housing, a discount of £1000 applied to sales to qualifying first time buyers;
- Delivery of replacement sports provision in accordance with Sport England's requirements set out in paragraphs 5.22 and 5.24 above and its consultation response;
- Preparation and ongoing implementation of a management plan, covering public access, a buffer zone and ecological protection, maintenance and enhancement, for Summersvere Woods;
- Provision of and ongoing maintenance of open space and a play area within the development;
- A financial contribution of £166,445 towards proposed traffic calming measures for Tinsley Lane;
- A financial contribution of £54,003 to mitigate domestic emissions of nitrogen dioxide from the scheme; and
- A financial contribution, calculated using the formula set out in policy CH6 and the Green Infrastructure SPD, toward new and replacement tree planting.

And subject to the following conditions:

1. i) Details of the appearance, landscaping, layout, and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the Local Planning Authority before any development begins and the development shall be carried out as approved.
ii) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
REASON: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last reserved matters to be approved.
REASON: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town and Country Planning Act 1990
3. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
4. No more than 150 dwellings shall be constructed on this site pursuant to the planning permission.
REASON: For the avoidance of doubt, as the illustrative masterplan only demonstrates capacity for that number of dwellings and in accordance with policies H1 and H2 of the Crawley Borough Local Plan 2015-2030 and the Tinsley Lane Development Brief.
5. No dwelling hereby approved shall be located within the Air Quality Management Area.
REASON: To protect the amenity of future residents in accordance with policies CH3 and ENV12 of the Crawley Borough Local Plan 2015-2030.
6. As part of the submission of the first Reserved Matters application pursuant to this planning permission, a plan detailing the proposed phasing for the implementation of the development, including the delivery of the affordable housing, sports facilities and vehicular accesses, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved Phasing Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the required highway improvements, affordable housing and sports facilities are delivered in a timely manner, to ensure satisfactory phasing in terms of residential amenity and the ongoing operation of existing sports team using the site and in accordance with policies CH3, H4 and ENV4 of the Crawley Borough Local Plan 2015-2030 and the Tinsley Lane Development Brief.

7. As part of the submission of the first Reserved Matters application, details of the proposed mix of residential unit types, sizes and tenures shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development appropriately addresses Crawley's housing needs in accordance with policies H3 and H4 of the Crawley Borough Local Plan 2015-2030 and the Tinsley Lane Development Brief.

8. No development or site set up works 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. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period unless otherwise agreed in writing by the Local Planning Authority. 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;
- details of temporary lighting;
- 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 a dust and smoke management plan;
- site restoration;
- protection and mitigation measures for wildlife and habitat; and
- details of public engagement both prior to and during construction works.

REASON: In the interests of highway safety, ecological protection and the amenities of the area in accordance with policies CH3 and ENV2 of the Crawley Borough Local Plan 2015-2030.

9. No development, including site works of any description, shall take place on the site unless and until there has been submitted to and approved in writing by the Local Planning Authority, an Arboricultural Impact Assessment report, an Arboricultural Method Statement and a Tree Protection Plan. The approved details shall include the method by which all the existing trees/bushes/hedges to be retained on the site are to be protected. The development shall be implemented in accordance with the approved details and within the protected areas 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 policies CH3 and CH6 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure Supplementary Planning Document.

10. Prior to the commencement of development, an Energy & Sustainability Statement shall be submitted and approved in writing by the Local Planning Authority detailing measures by which the dwellings and sports facilities will address sustainability objectives concerning carbon efficiency, energy use, water consumption, climate change mitigation and adaptation and also address such measures as are proposed in response to the Council's objective of promoting District Energy Networks and site-wide communal energy systems. The scheme shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development addresses carbon efficiency, energy use, water consumption and climate change in accordance with policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

11. Prior to the commencement of development, detailed plans and particulars showing the existing and proposed land levels, the levels of the proposed sports pitches and clubhouse and the finished floor levels of the proposed dwellings shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be constructed in strict accordance with the approved levels.

REASON: In the interests of visual and neighbouring amenity and to protect existing trees and vegetation in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief and the Green Infrastructure and Urban Design Supplementary Planning Documents.

12. Development shall not commence until a detailed drainage strategy in respect of all the land within the application site has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition, the drainage strategy shall be based upon the principle of sustainable drainage systems ("SuDS") in accordance with the details submitted as part of the application. The drainage designs should demonstrate that the surface water runoff generated up to and including the 1 in 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. The submitted Plan shall include details of:

- hydraulic calculations;
- attenuation times;
- profiles, levels & dimensions of water bodies;
- details of marginal planting;
- measures to address existing surface water run-off from the site onto adjoining sites;
- the approved maintenance regime and management details; and
- a programme for implementation.

The maintenance and management of the SUDs system should be 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, maintenance and management details prior to first occupation of the sporting facilities or residential units hereby permitted.

REASON: To address flood risk, to ensure that drainage is undertaken in a sustainable manner, to address existing surface water run off from the site affecting the amenity of adjoining properties and to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with policies CH3, ENV8 and IN1 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief and the Planning and Climate Change Supplementary Planning Document.

13. Before development commences, details of the permanent external lighting scheme for the development, including the sports pitches, shall be submitted and approved in writing by the Local Planning Authority. The approved lighting scheme shall be implemented as approved and no subsequent alterations shall take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of visual appearance, amenity for existing and future residents, in the interests of ecology and because it is necessary to control the permanent lighting arrangements on this development to avoid confusion with aeronautical ground lights which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with policies CH3, ENV2 and IN1 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief and the Urban Design Supplementary Planning Document.

14. The noise level outside any opening window to a noise-sensitive habitable room shall not be exposed to an Unacceptable Adverse Effect Level as stated in ENV11 of Crawley Borough Local Plan 2015-2030 unless otherwise agreed with the Local Planning Authority. The Unacceptable Adverse Effect Level in ENV 11 is considered to occur where noise exposure from transport sources is above 66dB LAeq,16hr and 57dB LAeq,8hr at night.

REASON: To protect the amenity of future residents against potential noise disturbance and to protect the ongoing future operation of Crawley Goods Yard in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief, policy M10 of the West Sussex Joint Minerals Local Plan and paragraphs 180 and 182 of the National Planning Policy Framework.

15. Before the development hereby permitted is commenced, a scheme shall have been submitted to and approved in writing by the Local Planning Authority to protect dwellings against 'transportation' noise from roads and rail. For the purposes of this condition, the scheme shall include:
- (a) the means by which the noise level within any (unoccupied) domestic living room or bedroom, with windows open, shall be no more than 35 dB LAeq16hr (between 0700 and 2300) and no more than 30dB LAeq 8hr (between 2300 and 0700); and
 - (b) the means by which the noise level within any (unoccupied) domestic bedroom, with windows open, shall not regularly (10 times per night) exceed 45 dB LAFMax between 2300 and 0700.
 - (c) road traffic noise level in any external amenity areas of no more than 50dB LAeq,16hr. Where this standard cannot be achieved despite all potential mitigation being carried out, a level of no more than 55dB LAeq,16hr will be acceptable for the whole or a proportion of the private amenity area, the details of which are to be agreed with the Local Planning Authority.
- Where the standards in (a) and/or (b) in paragraph (2) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which natural and if proved necessary mechanical ventilation will be provided to adequately deal with summer overheating and thermal comfort. Any mechanical ventilation must not exceed an internal noise level of NR25.
- REASON: To protect the amenity of future residents against potential noise disturbance in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief and paragraph 180 of the National Planning Policy Framework.
16. No development shall take place until a scheme for protecting the habitable rooms of any dwelling within the development from noise emanating from Crawley Goods Yard has been submitted and approved in writing by the Local Planning Authority. Implementation shall at all times be in full accordance with the approved details of the noise insulation and control scheme.
- REASON: To protect the amenity of future residents against potential noise disturbance and to protect the ongoing future operation of Crawley Goods Yard in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief, policy M10 of the West Sussex Joint Minerals Local Plan and paragraphs 180 and 182 of the National Planning Policy Framework.
17. Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of monitoring of the earthworks phase. The Bird Hazard Management Plan shall be implemented as approved upon commencement of the earthworks and shall remain in force for the period of the earthworks phase. 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 earthworks phase in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.
18. No development above slab level shall take place until there has been submitted to, and approved by, the Local Planning Authority a soft and hard landscaping scheme, including details of retained trees, boundary treatments, any earthworks, grassed areas and the species, number and spacing of trees and shrubs to be planted. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season 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 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. All hard landscaping comprised in the approved details of landscaping shall be carried out before the completion of the development or first occupation, whichever is the sooner.
- REASON: To ensure a satisfactory appearance to the development, to address the need for replacement and additional tree planting and to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with policies CH3, CH6 and IN1 of the Crawley Borough Local Plan 2015-2030.
19. No development shall take place until a programme of archaeological work in accordance with a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning

Authority. The approved programme shall be implemented in full unless otherwise agreed in writing by the Local Planning Authority.

REASON: Given the size of the site and its potential to contain below ground Heritage Assets, to ensure adequate provision for investigation and recording of potential assets in accordance with policy CH12 of the Crawley Borough Local Plan 2015-2030 and the relevant provisions of the National Planning Policy Framework.

20. All dwellings within the residential development hereby approved in outline only shall comply with the minimum sizes set out in the Nationally Described Space Standards.
REASON: To ensure a satisfactory level of amenity for future residents in accordance with Policy CH5 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief and the Urban Design Supplementary Planning Document.
21. All dwellings within the residential development hereby approved in outline only shall be provided with at least the minimum levels of private outdoor amenity space set out in the Council's Urban Design Supplementary Planning Document unless otherwise agreed in writing by the Local Planning Authority.
REASON: To ensure a satisfactory level of amenity for future residents in accordance with Policy CH5 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.
22. No development above slab level shall be carried out unless and until a schedule of materials and finishes, together with samples of such materials and finishes to be used for external walls, glazing and roofs of the proposed buildings and for external hard surfaced areas have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief and the Urban Design Supplementary Planning Document.
23. No part of the development shall be first occupied until such time as the vehicular access serving the football club facilities and acting as an emergency access for the residential element has been constructed in accordance with the details shown on the drawings numbered 38052 Lea018 Rev B (Sheets 1 and 2) and titled Kenmara Court Football Club Access and Emergency Access.
REASON: In the interests of road safety in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030 and the Tinsley Lane Development Brief.
24. No part of the development shall be first occupied until such time as the vehicular access serving the residential development has been constructed in accordance with the details shown on the drawing numbered 38052 Lea069 (Sheets 1 and 2) and titled Tinsley Lane Crawley - Proposed Vehicular Access.
REASON: In the interests of road safety in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030 and the Tinsley Lane Development Brief.
25. No individual dwelling shall be occupied until the vehicle parking and turning spaces (including garages and Electric Vehicle Charging Points) associated with that dwelling have been constructed in accordance with plans and details to be provided to and agreed with the Local Planning Authority. These spaces shall thereafter be retained for their designated use. These spaces shall thereafter be retained at all times for their designated use.
REASON: To provide adequate car parking spaces for the dwellings and to provide Electric Vehicle Charging points to support the use of electric vehicles in the interests of sustainable transport, futureproofing the scheme and air quality in accordance with policies CH3, ENV6, ENV12, IN3 and IN4 of the Crawley Borough Local Plan, the Tinsley Lane Development Brief, the car parking standards set out in the Urban Design Supplementary Planning Document and national sustainable transport policies.
26. No dwelling shall be first occupied until covered and secure cycle parking spaces serving the respective dwelling have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority.

REASON: To provide alternative travel options to the use of the car in accordance policies CH3, IN3 and IN4 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief, the Urban Design Supplementary Planning Document and with current national sustainable transport policies.

27. No part of the development shall be first occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan once approved shall thereafter be implemented as specified within the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.

REASON: To encourage and promote sustainable transport, to reduce reliance on use of the private car and in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030 and the Tinsley Lane Development Brief.

28. No part of the development shall be first occupied until Electric Vehicle Charging spaces have been provided in accordance with plans and details submitted to and approved by the Local Planning Authority.

REASON: To provide Electric Vehicle Charging points to support the use of electric vehicles in the interests of sustainable transport and air quality in accordance with policies ENV6, ENV12 and IN3 of the Crawley Borough Local Plan and national sustainable transport policies.

29. The residential units shall not be occupied until details have been submitted to and approved by the Local Planning Authority to demonstrate that they will achieve a water efficiency standard consistent with the Energy & Sustainability Statement by consuming not more than 110 litres per person per day maximum water consumption. The scheme shall be implemented in accordance with the approved details.

REASON: To ensure that the development addresses water consumption, water stress and climate change in accordance with policy ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

30. Provision shall be made for combined television reception facilities and superfast broadband to serve all units within the residential development hereby approved in outline only in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The approved facilities shall be made available to each individual unit prior to that unit being first brought into use.

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.

31. No dwelling shall be occupied until full details of refuse and recycling storage facilities for that dwelling have been submitted to and approved in writing by the Local Planning Authority. The agreed refuse and recycling storage facilities shall be fully implemented prior to occupation of that dwelling and subsequently maintained for the use of its residents.

REASON: In the interests of amenity and in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

32. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or Orders amending or revoking the same, no development within Class A, Class AA, Class B, Class C and Class E of Part 1 of Schedule 2 to that Order shall be carried out without the prior permission of the Local Planning Authority on an application in that behalf.

REASON: Given the density of the proposed development, to protect the amenity of existing and future residents against issues such as overlooking and overshadowing, to ensure a satisfactory appearance to the development and in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030, the Tinsley Lane Development Brief and the Urban Design Supplementary Planning Document.

INFORMATIVES

1. The scheme shall demonstrate that there is a positive indication there will be no adverse impact from Crawley Goods Yard. This will be achieved by assessing the impact of the noise at any residential property in accordance with British Standard 4142:2014, with the acceptable rating level of the noise, which will normally include corrections for tonality and impulsivity, being at least equivalent to the

background noise level (LA90) or below. Also by ensuring that there will be less than 10 events per night exceeding an LAFmax of 45dB in any bedroom.

2. The applicant is advised to enter into a Section 59 Agreement under the 1980 Highways Act, to cover the increase in extraordinary traffic that would result from construction vehicles and to enable the recovery of costs of any potential damage that may result to the public highway as a direct consequence of the construction traffic. The Applicant is advised to contact the Highway Officer (01243 642105) in order to commence this process.
3. The applicant is advised to contact Network Rail (AssetProtectionLondonSouthEast@networkrail.co.uk) prior to any works commencing on site, and also to agree an Asset Protection Agreement with Network Rail to enable approval of detailed works. Further information on this can be found at Network Rail's website: <https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/>
4. The applicant is advised that Gatwick Airport Safeguarding notes that the proposed Woodland Planting Mix consists of around 50% berry bearing species and the thorny scrub planting mix consists of 100% berry bearing species. This may not be an issue depending on the number of plants involved, but GAL Safeguarding would need to be consulted with regard to the detailed landscaping scheme. As this site is only 2.3km SE from the Aerodrome Reference Point (ARP) at Gatwick Airport, GAL Safeguarding would ask that the berry bearing species be distributed throughout the site so that large concentrated areas are not formed, as this could attract flocking birds in large numbers. Further general information can be found in AOA Advice Note 3, 'Wildlife Hazards Around Aerodromes', available from: <http://www.aoa.org.uk/policycampaigns/operations-safety/>
GAL Safeguarding also notes that, on page 6 of the woodland management plan, it states that bat and bird boxes will be installed. Bat boxes will not be an issue, however GAL Safeguarding ask that bird boxes be for the smaller species such as Robins, Sparrows, Wrens etc and no the larger birds such as Starlings.
5. 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/>)
6. Natural England advises that the proposals as presented have the potential to adversely affect woodland classified on the ancient Woodland Inventory. Natural England refers the applicant to its Standing Advice on ancient woodland <https://www.gov.uk/ancient-woodland-and-veteran-trees-protectionsurveys-licences>. Natural England also states that the consultation documents indicate that this development includes an area of priority habitat, as listed on Section 41 of the Natural Environmental and Rural Communities (NERC) Act 2006. Further guidance on these can be accessed through the Natural England website.
7. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
8. The applicant is advised to consider the comments made by Sussex Police on this application and also the Secured by Design initiative in developing detailed proposals for the site. Further details can be found on www.securedbydesign.com within (Commercial Developments 2015) and (Homes 2019) documents.
9. The water efficiency standard required under condition 29 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.

10. 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:
- a) 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.
 - b) 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.
 - c) 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 benefiting 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 members/consultees/respondents/applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of the application.

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



ArcGIS Web Map

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



1:2,500

