

REFERENCE NO: CR/2017/0866/RG3

LOCATION: TILGATE NATURE CENTRE, TILGATE PARK, TILGATE DRIVE, CRAWLEY
WARD: Tilgate
PROPOSAL: ERECTION OF AN AVIARY MEASURING 32.5M LONG X 8.1M WIDE, AND 5.2M MAX HEIGHT WITH EXTERNAL MATERIALS COMPRISING TIMBER UPRIGHTS, PAINTED MESH AND VIEWING WINDOWS

TARGET DECISION DATE: 7 December 2017

CASE OFFICER: Ms K. Ingram

APPLICANTS NAME: Mr Ben King

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

MA-Block 1-1000, Location Plan scale 1:1000;
MA/EE 2017, East elevation and floor plan;
MA/WE-2017, West elevation and floor plan;
MA/Loc-1-1250, Location Plan scale 1:1250;
MA-Loc 1-500, Block Plan scale 1:500;
MA/RFD-2017, Proposed roof plan;
MA/SD-2017, E-W Section Plan;
MA/NSW-2017, South east and north elevations;
MA/DE 2017, Typical east or west elevation sections.

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|---------------------------------------|----------------------|
| 1. | CBC - Property Division | No objection |
| 2. | CBC - Planning Arboricultural Officer | No objection |
| 3. | CBC - Environmental Health | No objection |
| 4. | Sussex Gardens Trust | No comments received |

NEIGHBOUR NOTIFICATIONS:-

The Cottage, Tilgate Drive;
Garden Cottage, Tilgate Drive.

A site notice was erected on the site on 2 November 2017.

RESPONSES RECEIVED:-

No letters of representation were received.

REASON FOR REPORTING TO COMMITTEE:-

The applicant is Crawley Borough Council.

THE APPLICATION SITE:-

- 1.1 Tilgate Nature Centre is on the western side of Tilgate Park, to the east of the Walled Kitchen Gardens and to the west of Titmus Lake. It comprises a number of caged and open animal enclosures with a cluster of small scale staff and visitor buildings along its eastern boundary. The site slopes downwards from east to west.
- 1.2 Tilgate Park is a Historic Park and Garden located within the Tilgate/Worth Forest Fringe which is outside the built-up area of Crawley, as designated by Policies CH9 and CH17 of the Local Plan 2030.

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is seeking planning permission for the erection of an aviary in the 'Americas' zone which is in the northern part of the Nature Centre. It would measure 32.5m in length on a north-south axis, and 8.1m wide. It would have a height of 4.5m on its eastern elevation and 5.15m on the western elevation. The building would have a curved footprint of 297sq.m.
- 2.2 It would be constructed of timber uprights with a timber beamed roof and galvanised steel mesh applied to the roof and elevations. The eastern elevation would be painted green or brown and would feature glazed viewing windows for a length of 11m. The lower section of the walls would be timber 'half rounds' for the entire perimeter of the aviary to a height of 0.65m, and to 2m in some sections. The upper sections of the western, northern and southern elevations would retain the galvanized steel mesh finish.
- 2.3 There would be some planted beds in front of the solid panelling to separate the public from the mesh. The aviary would accommodate a variety of existing and newly introduced birds including Scarlet Ibis, Conures, Blue and Gold Macaws and a variety of other species.

PLANNING HISTORY:-

- 3.1 CR/402/88 – CHANGE OF USE FROM NATURE CENTRE TO ZOO - **Permit**
- 3.2 CR/2013/0136/RG3 - DISCOVERY CENTRE BUILDING, NATURE CENTRE, TILGATE PARK, TILGATE DRIVE, TILGATE, CRAWLEY – ERECTION OF SINGLE STOREY EXTENSION TO FORM NEW ANIMAL HOUSING - **Permit**
- 3.3 CR/2016/0407/RG3 - INSTALLATION OF 78 SOLAR PANELS ON THE ROOF OF NUMBERS 1-6 OF THE CRAFT UNITS AND ASSOCIATED ELECTRICAL WORKS TO SUPPLY THE ADJACENT CAFE. INSTALLATION OF 22 SOLAR PANELS ON THE REAR ELEVATION OF THE TILGATE OFFICE BUILDING AND ASSOCIATED ELECTRICAL WORKS – **Permit**
- 3.4 CR/2016/0558/RG3 - REMOVAL OF METAL SHUTTERS ON SOUTH ELEVATION OF THE BARN AND REPLACE WITH STUD WORK WALL CLAD WITH TIMBER AND BI-FOLD DOORS – **Permit**

PLANNING POLICY:-

- 4.1 National Planning Policy Framework 2012.
- 4.2 Relevant sections are:
 - Paragraph 14 (Presumption in favour of sustainable development). The National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

- Paragraph 17 (Core planning principles). Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings, and to take account of the different roles and character of different areas.
- Paragraph 28 (Supporting a prosperous rural economy) states that planning policies should support the sustainable growth and expansion of all types of business and enterprise in rural areas.
- Chapter 7 (Requiring good design). The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 73 (Promoting healthy communities) states that access to high quality open space and opportunities for sport and recreation can make an important contribution to health and well-being.
- Paragraph 132 (Conserving and enhancing the historic environment) requires consideration of the impact of the development on heritage assets and their settings.

4.3 Crawley Borough Local Plan (2015-2030)

- Policy SD1 (Presumption in favour of Sustainable Development) Development will be supported where it meets the following strategic objectives which include enhancing and creating opportunities for Crawley's unique Green Infrastructure.
- Policy CH2 (Principles of Good Urban Design) seeks new development proposals will be required to respond to and reinforce locally distinctive patterns of development and landscape character and/or enhance heritage assets.
- Policy CH3 (Normal Requirements of All New Development) states all proposals for development in Crawley will be of a high quality in terms of urban and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, layout, details and materials. Development must 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 needs.
- Policy CH9 (Development Outside the Built Up Area) states that all proposals must recognise the individual character and distinctiveness and the role of the landscape character area or edge. Buildings should be grouped with existing buildings to minimise impact and should reflect local character in terms of form, height, scale, size, colour and texture. Proposals should conserve the high landscape value of the Tilgate/Worth Forest and Fringes.
- Policy CH12 (Heritage Assets) states that Crawley's heritage assets are treated as a finite resource, and that their key features or significance must not be lost as a result of development.
- Policy CH17 (Historic Parks and Gardens) states that the Council will support development, unless it will have a negative impact upon the historic setting and character of the designated Historic Park or Garden. Applicants will be required to demonstrate through a Heritage Impact Statement that the proposal has regard to its character, features and setting.
- Policy EC9 (Rural Economy) states that small scale economic development, including tourism – related development, and reuse of existing land for business or tourism, is supported in areas outside the built up area.
- Policy ENV1 (Green Infrastructure) states that Council will support development which protects and enhances Crawley's multi-functional green infrastructure network.

4.4 Urban Design Supplementary Planning Document (adopted October 2016)

- With reference to development in the public realm, the Urban Design SPD states that a good public realm should be human in its scale and respond to people's needs, while stimulating the senses and encouraging a variety of activities and uses, whilst providing through routes and clear connections (2.22).

PLANNING CONSIDERATIONS:-

- 5.1 The main planning considerations in the determination of this application are the principle of the development in this location, the impact on the visual amenities of the site and impact on the Historic Park and Garden and Landscape Character Area, impact on neighbouring amenity and the impact on trees.

Principle of the Development

- 5.2 Tilgate Park and Nature Centre are located within the Tilgate/Worth Forest and Fringes and is in a Historic Park and Garden as designated by the Crawley Borough Local Plan. The area is predominantly open in character, other than clusters of buildings, for example around the Nature Centre, the Recreation Centre and Tilgate Mansions around the main car park area.
- 5.3 In 2015 Crawley Borough Council prepared a five year plan for a programme of planned investment to update and repair the infrastructure of Tilgate Park. The aim of the five year plan was to move the Park and Nature Centre towards a cost neutral position financially, as "a cost neutral park and Nature Centre is more likely to be protected from future cuts and the difficult decisions local authorities currently face".
- 5.4 This application is part of the programme of wider improvements within the Nature Centre involving the introduction of some new species, the construction of new animal houses and indoor shelters and the re-landscaping of spaces surrounding the footpaths and visitor areas of the 'Americas' zone. It is hoped to increase visitor numbers in order to generate further income to support the cost of running the Park and Nature Centre.
- 5.5 The proposal is contained within the existing Nature Centre boundary and would not result in the erosion of the open rural character of the Park and the Landscape Character Area and is therefore acceptable in principle. The details of the proposal are considered below.

Impact on the visual amenities of the site and wider area and impact on the Historic Park and Gardens and Landscape Character Area

- 5.6 The 'Americas' zone is accessed by a footpath from the eastern entrance of the Nature Centre. It is characterised by a relatively dense copse of mature broadleaf trees along its eastern and southern boundaries and comprises shrubs, younger trees, grassland and tracks throughout. The northern boundary comprises 3m high mesh fencing and shrubs against a footpath outside the Nature Centre leading down to Titmus Lake. The site slopes steeply down from east to west.
- 5.7 The aviary would be relatively long at 32.5m, however the scale would be proportionate to the site, as the Americas zone has a breadth of 170m east to west, and a depth of 80m. Materials of timber uprights and roof beams, and open mesh painted in green on the eastern elevation would be sympathetic to the rural, wooded and landscaped character of the Nature Centre and Tilgate Park. The eastern elevation is the elevation which would be most exposed to visitors and therefore this would have the viewing windows and be painted green. The northern, southern and western elevations would retain the galvanised steel finish of the mesh elevations. As the mesh fencing is not particularly dense with apertures of 25mm x 75mm and the elevations also comprise solid timber fencing to a height of between 0.65m to 2m from ground level it is considered that the non-painted mesh would not detract from this wooded character of the site and wider area.
- 5.8 Outside the boundaries of the Nature Centre, the aviary would not be visible from Tilgate Park from the east, south, or west, given the tree coverage along the eastern boundary and the distance of site from the southern and western boundaries of the Centre. It would be visible from the footpath which runs along the northern boundary of the Nature Centre down to Titmus Lake, as this

comprises more open mesh fencing and the aviary would be 32m from this boundary. However the northern elevation has a width of 8.1m and it is considered that the impact on the visual amenities and heritage significance of Tilgate Park would be acceptable.

- 5.9 Given the above, it is considered that the application would be in keeping with the character of the site and wider area in terms of its scale and design, and would not harm the key features or setting of the Tilgate Historic Park and Garden or the Landscape Character Area, and would therefore comply with Policies CH2, CH3, CH9, CH12, CH17 and ENV1 of the Local Plan 2030 and the relevant provisions of the NPPF (2012) and the Urban Design SPD in this regard.

Impact on neighbouring amenity

- 5.10 The nearest residential properties would be Gardeners Cottage 100m to the south east of the subject site, and The Cottage, which is 140m to the north west of the subject site, both within the boundaries of Tilgate Park. Crawley Borough Council Environmental Health department have reviewed the application and do not have any concerns with the application with regards to the impact of the aviary on neighbouring amenity. It is therefore considered that the application would have an acceptable impact on neighbouring amenity and would comply with Policies CH3 and the relevant provisions of the Urban Design SPD in this regard.

Impact on trees

- 5.11 The Council's Arboricultural Officer has advised that the construction of the aviary would have a minimal intrusion into the root system of the surrounding trees. The applicant states that the aviary has been positioned to avoid any close contact with trees. One corner pole near an existing tree would be hand dug with no machinery used to ensure that any root within the dig area would not be damaged and a condition is recommended on any approval to this effect. The application would therefore comply with Policy CH3 and would not have a detrimental impact on the health and vitality of surrounding trees.

CONCLUSIONS:-

- 6.1 The aviary is part of a programme to improve visitor experience in the Nature Centre and Tilgate Park as a whole. It has been designed to blend with its surroundings using timber products for the structure parts and neutral colours to the surfaces in order that it does not detract from the wooded and rural character of Tilgate Park and the wider area of Tilgate/ Worth Forest. It would have an acceptable impact on the visual amenities of the site and would not detrimentally harm the key features or setting of Tilgate Park. There would be no adverse impact on neighbouring amenity or trees, and it would comply with Policies CH2, CH3, CH9, CH12, CH17, ENV1 and EC9 of the Crawley Local Plan 2030.

RECOMMENDATION RE: CR/2017/0866/FUL

PERMIT - Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Any holes dug for the pole structures of the aviary which are within the Root Protection Zone of any trees in the vicinity of the site shall be hand dug with no machinery used. The Root Protection Zone is calculated as 12 x the diameter of the trunk 1.5m above ground level.

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

4. The materials to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application.

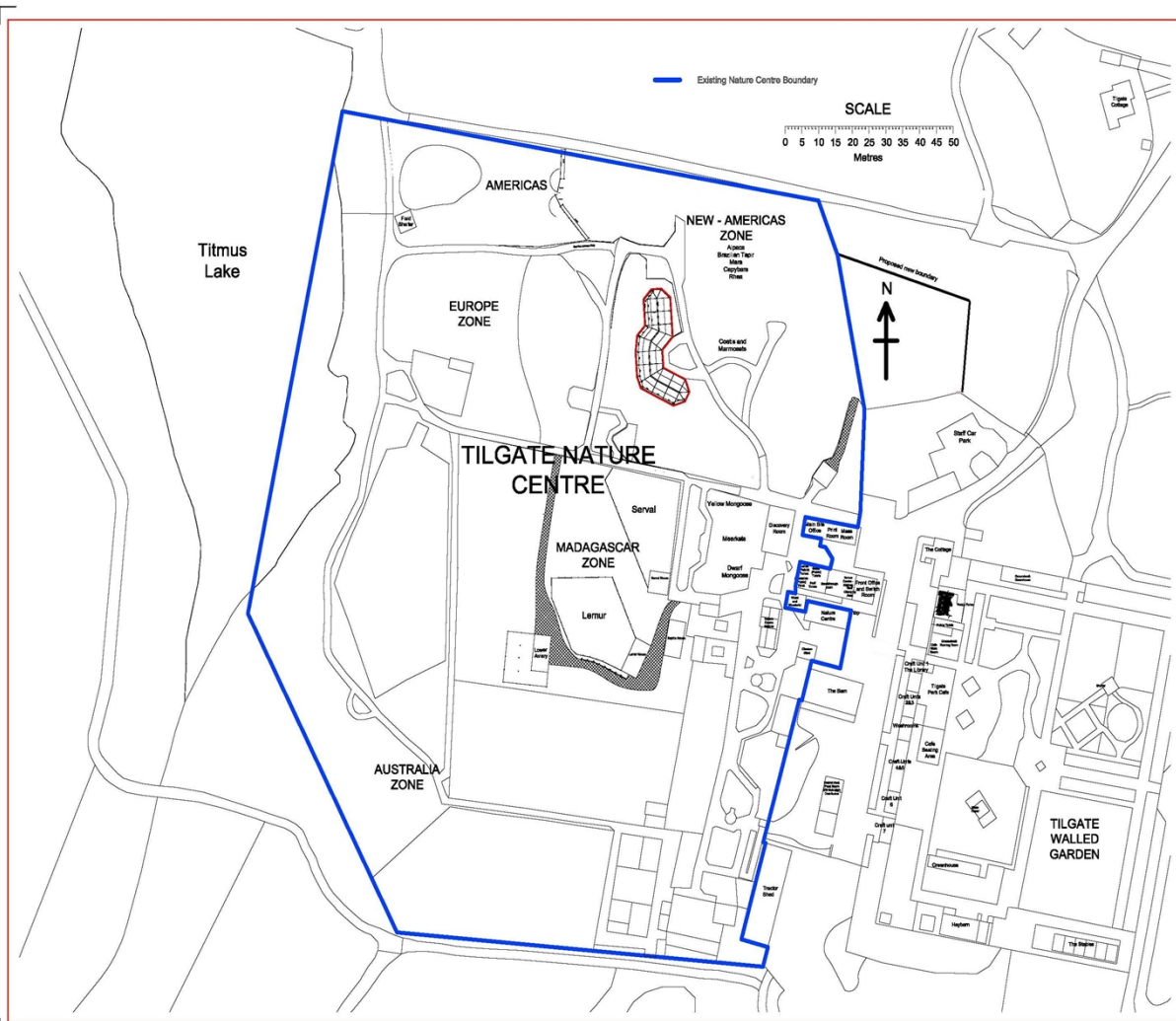
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

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

- Liaising with applicant and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking additional information to address identified issues during the course of the application.

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



NOTES			
COMMUNITY SERVICES CAPITAL PROJECTS CRAWLEY BOROUGH COUNCIL Town Hall, The Square, Crawley, West Sussex BN11 1UE Telephone: 01293 420000 Fax: 01293 420000 or 01293 420001			
Project: TILGATE NATURE CENTRE			
Title: Tilgate Park Projects Nature Centre Americas Proposed Electrical supply			
Client:	Drawn:	Checked:	Date:
			11/10/08 @ AD
Project Ref:	Drawn Ref:	Checked:	Scale:
TPNC	/MA-Block 1-100D		