

REFERENCE NO: CR/2020/0462/FUL

LOCATION: [BARBER WAREHOUSE, NORTHGATE PLACE, NORTHGATE, CRAWLEY](#)
WARD: Northgate & West Green
PROPOSAL: CHANGE OF USE FROM OFFICE (FORMERLY USE CLASS B1) TO A KITCHEN TO FEED THE HOMELESS

TARGET DECISION DATE: 29 October 2020

CASE OFFICER: Mrs A. Sanders

APPLICANT'S NAME: Giving Back Crawley
AGENT'S NAME: RDJW Architects Limited

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
5691 001		Site Location Plan
5691 002		Block Plan
5691 003		Site Plan
5691 004		Existing Floor Plan
5691 005	A	Existing Elevations
5691 006		Proposed Floor Plans
5691 007		Proposed Elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | |
|---|---|
| 1. WSCC Highways | No objection |
| 2. National Air Traffic Services (NATS) | No objection |
| 3. Police | No objection but will need to consider lighting and alarm system |
| 4. CBC Property Division | No objection |
| 5. CBC Environmental Health | No objection subject to conditions |
| 6. CBC Community Service Manager | Comment: 'The applicant has shown how effectively they can work alongside Crawley Borough Council and other key partners. Their business plan is sympathetic to the community.' |

NEIGHBOUR NOTIFICATIONS:-

4 to 7 The Parade;
23, 51, 75, 94, 107 and 130 Woodfield Road;
Charles at Stillwells, Northgate Garage;
Northgate Car Sales;
Northgate Cars;
95, 70 and 105 Oak Way;
8, 10, 42, 86 and Brambelwoods, Green Lane;
1, 11 and 12 Woodfield Close;
2, 10, 11, 14, 15, 16, 20, 21 and 27 Hollybush Road;
2 The Parade;
Magpie Walk, Northgate, Crawley;
9 and 11 Boundary Road;

44, 45 and 53 Shaws Road;
6 Magpie Walk;
23 Railey Road;
10 North Close;
64 Barnfield Road.

RESPONSES RECEIVED:-

24 letter of representation have been received raising objection to the proposal for the following reasons:

- Located close to a primary school allowing too many uncontrolled people in close proximity to children.
- The location is not appropriate, consider an industrial area.
- There still will be an amount of people loitering around the shops and general area late at night unsupervised.
- Why does this kitchen need to be in a residential area?
- There still will be people coming from the kitchen and hanging around the parade.
- Will see an increase of homeless people week on week coming into the area late at night making the character of Northgate shops from a peaceful and pleasant area to a noisy and frightening place.
- Concerns about deliveries to the unit due to congestion in the area.
- Object to the homeless kitchen being so close to residents' homes.
- Northgate Parade already has a problem with street drinkers gathering around the bus stop area, which can be very intimidating.
- It would encourage large numbers of homeless and street drinkers to congregate at and in the vicinity of the parade.
- It will increase local noise and nuisance and affect the businesses there and residents that live close by.
- This application has been amended as a delivery service, what guarantees are there that this is not a rouse to get the kitchen up and running as previously intended?
- Deliveries are going to be made to people with no fixed abode who could be missed on any delivery round, who could then decide to migrate to this area knowing that food and essential supplies will be readily available.
- The area is heavily used by families with young children and elderly people who make up the majority of residents from the neighbourhood.
- The application does not specify the agreed feeding site locations, there is no list of these locations, this means the food truck could serve food from the front of the parade.
- The application does not mention what measures are in place if the clientele do turn up at the kitchen and how this will be facilitated.
- Building not fit for purpose and has been vacant for over 15 years.
- The cost to repair the building and bring up to standards would be better spent elsewhere.
- The use of the service road is already at capacity and could not accommodate any more use.
- The service road is in constant use serving many businesses with many vehicles coming and going.

REASON FOR REPORTING TO COMMITTEE:-

Number of representations.

THE APPLICATION SITE:-

- 1.1 The site contains a single storey flat roofed building measuring 255 sqm, located at the end of Northgate Place. The site is owned by Crawley Borough Council. The building is brick built with render to part of the front elevation. There is parking to the front of the site for approximately three vehicles. The site became vacant on the 24th March 2017 and was previously used by Barber Warehouse as offices, showroom and storage.
- 1.2 To the north/east of the site is a garage block also owned by Crawley Borough Council and to the south/east is Charles at Stillwells (MOT centre) and Northgate Car Sales. To the immediate south are single garages fronting Northgate Place. Further to the south are the rear of the properties which

front onto the parade which comprise a mixture of commercial units with residential accommodation above. To the west are residential properties in Hollybush Road. The site is located outside of the Neighbourhood Centre boundary but is within an area designated as 'Important Views' within the Crawley Borough Local Plan.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the change of use from office (formerly Use Class B1 now Use Class E as of September 2020) to a kitchen to prepare food for the homeless. It is proposed that the building would be used by the charity Giving Back Crawley (GBC) to prepare, cook, pack and distribute food (off site) for the homeless community of Crawley. GBC is a small local charity that offers support to anyone who is homeless which includes those that are rough sleeping, in temporary accommodation, hidden homeless and statutory homeless.
- 2.2 It is proposed that the building would be used every evening between 17:00 – 20:00 and there would be 2 – 5 volunteers on the site at any one time. It is proposed that the parking spaces to the front would be used for the delivery van only, whilst the volunteers would park on the surrounding roads. The van would be loaded every evening and would commence delivery of the food at approximately 18:30 each day, returning at around 20:30 where the vehicle would remain parked. There would be no food consumed on the premises or visitors to the site other than the above mentioned volunteers.
- 2.3 The floor plans indicate that the internal layout would be altered to accommodate a kitchen with kitchen store, two offices, w/c and the remainder would be general storage. The refuse storage would be located behind the double gates to the front of the site. The building would be solely to prepare food which would be distributed off site to locations within Crawley Borough agreed with Crawley Borough Council and the relevant landowners. Currently the locations are Telford Place car park and the lay-by at the front of the empty Moka nightclub. It is not proposed that there would be any external alterations to the building other than a small roof mounted extraction vent.

PLANNING HISTORY:-

- 3.1 CR/2020/0050/FUL
CHANGE OF USE FROM OFFICE (B1) TO A KITCHEN TO FEED THE HOMELESS (SUI GENERIS)
Application withdrawn
- 3.2 CR/2013/0173/FUL
PART CHANGE OF USE FROM OFFICES (B1) TO HEALTH & FITNESS (D2)
Permitted
- 3.3 CR/2010/0269/COU
CHANGE OF USE FROM B1 OFFICE TO D1 NON RESIDENTIAL INSTITUTION INCLUDING ACCESS TO GARAGES 6, 7, 8, 9, 10 & 11 NORTHGATE PLACE
Refused: The proposed use of the site, by virtue of the parking provision, layout and lack of turning and manoeuvring space would result in a development which could not meet its own operational needs causing a hazard to road users contrary to policies GD1 and GD3 of the Crawley Borough Local Plan 2000.

PLANNING POLICY:-

4.1 The Crawley Borough Local Plan 2015 – 2030 (adopted December 2015)

- 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 CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
- Policy EC1: Sustainable Economic Growth. Crawley's role as the key economic driver for the Gatwick Diamond will be protected and enhanced. The council will ensure that all suitable opportunities within the borough are fully explored to enable existing and new businesses to grow and prosper.
- Policy EC4: Employment Development and Residential Amenity. Proposals for the development, redevelopment or change of use of sites for employment use adjacent to residential areas will be permitted where there is no adverse harm to local amenity or function of the surrounding area.
- Policy EC8 Neighbourhood Centres states that in neighbourhood parades, proposals for ground floor change of use, including from A1 class (retail) to other uses will be supported provided that proposals are appropriate to the established role of the neighbourhood centre in terms of scale and function, will not adversely affect the ability of the parade to cater for the day-to-day needs of local residents, will not result in an adverse impact upon the amenity and environment of the locality, and will maintain and where possible enhance the vitality and viability of the parade.
- Policy ENV6: Sustainable Design and Construction. All development involving a change of use of over 100 sqm of internal floorspace should submit a Sustainability Statement demonstrating how the sustainability objectives have been addressed during the design and construction process.
- Policy ENV9: Tackling Water Stress. For non-residential development, where technically feasible and viable, development should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits. Should BREEAM be replaced, or any national standards increased, then this requirement will also be replaced by any tighter standard appropriate to an area of serious water stress. Applicants must demonstrate how they have achieved the requirements of this Policy within their Sustainability Statement as required by Policy ENV6.
- ENV10 Pollution Management and Land Contamination states that to prevent unacceptable risk from environmental pollution and land contamination, development, including extensions and intensification of existing uses, will be permitted where the proposed use will not lead to a significant increase in levels of pollution or hazards, or where impacts can be appropriately mitigated to ensure impacts are controlled. It should also be appropriate to its location in that it would not result in unacceptable disturbance or nuisance to the amenity of adjacent land uses and occupiers.
- ENV11 Development and Noise states that noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (as existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing and future users. Proposals will adhere to standards identified in the Local Plan Noise Annex to establish if the proposal is acceptable in noise impact terms, and will be required to appropriately mitigate noise impacts through careful planning, layout and design. Development that would expose users of noise sensitive uses to unacceptable noise levels will not be permitted.
- Policy IN1: Infrastructure Provision states that Development will be permitted where it is supported by the necessary infrastructure both on and off site.

- Policy IN3: Development and Requirements for Sustainable Transport. Development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.
- Policy IN4: Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards. Parking standards for other types of developments will be based on the particular usage of the premises, which will take account of the intensity and requirements of each employment usage and the accessibility of an area by public transport and other sustainable modes.
- Policy IN5: The Location and Provision of New Infrastructure states that the council will support the provision of new or improved Infrastructure in appropriate locations where the facilities are required to support development or where they add to the range and quality of facilities in the town. Local community facilities should be located close to neighbourhood centres.

Emerging Local Plan Policies

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

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy CD6: Normal Requirements of All New Development
- Policy EC1: Sustainable Economic Growth
- Policy EC10: Employment Development and Residential Amenity
- Policy EC11: Neighbourhood Centre
- Policy SDC1: Sustainable Design and Construction
- Policy SDC3: Tackling Water Stress
- Policy EP3: Pollution Management and Land Contamination
- Policy EP4: Development and Noise
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

Urban Design SPD – October 2016

4.3 This document provides further advice on the principles of good urban design highlighting in particular the importance of massing and materials, public realm, street design and parking and sustainable design. Annex 1 contains the Borough's indicative minimum parking standards.

Planning and Climate Change SPD

4.4 This provides further guidance on addressing the sustainability policies within the Local Plan with examples of best practice and how to demonstrate compliance with the policies.

PLANNING CONSIDERATIONS:-

5.1 The main considerations for this application are the following:

- Principle of the development - loss of an office use
- Impact on amenity including noise and odour impacts
- Highways considerations
- Impact on the design and visual amenity of the existing site and surrounding area

Principle of the development and loss of an office use

5.2 The proposal would result in the loss of an office use. The site is not designated as a main employment site within the Local Plan nor does it fall within the defined neighbourhood centre

boundary. Local Plan policies seek to protect office space within designated areas however the change of use of these premises is not restricted by these policies. The proposed use would not be dissimilar to an office use in regard to the number of people using the building, parking requirements and appearance. Further the proposal would bring this building back into operation as it has been vacant for nearly four years. It would provide a community benefit for Crawley by providing food for the homeless community which would accord with policies IN1 and IN5 of the Crawley Borough Local Plan 2015 – 2030.

- 5.3 It is therefore considered that the principle of this change of use of the site from office to this food preparation use as set out in the application is acceptable subject to consideration of the details of the development against the Crawley Borough Local Plan 2015-2030 policies.

Impact on amenity including noise and odour impacts

- 5.4 The building is located at the end of Northgate Place and as described above is a mixed area in terms of uses and activities. Northgate Place serves a car garage and car sales as well as a garage block. It also serves the rear access for the commercial and residential properties which front onto Northgate Parade.
- 5.5 The main properties that would be potentially impacted by the development would be the commercial car sales garage located to the south east of the site, the commercial and residential properties on Northgate Parade which back on to the site as well as the properties on Hollybush who back onto the site. The main impacts from an amenity perspective would be loss of privacy / overbearance / loss of light, noise impacts and odour impacts. Each will be addressed in turn.

Loss of privacy / overbearance / loss of light

- 5.6 As the proposal is for the change of use of the building with no external alterations, the proposal would not result in any further impacts over and above the existing situation in terms of loss of privacy from overlooking / overbearance / loss of light.

Noise

- 5.7 There are two possible sources of noise impacts. These would be the impact of the change of use in terms of general disturbance and activities as a result of the proposed operations at the site and also the noise impacts from the proposed extraction system.
- 5.8 In terms of the general disturbance, it is proposed that the building would be used for three hours a day from 17:00 – 20:00. There would only be a maximum of five people on the site at any one time. The food would be prepared and packed in the building and loaded into the van at approximately 18:30. The volunteers would then clean the building and vacate by 20:00 with the van returning at 20:30 where it would remain for the rest of the evening, until the delivery the following day. These operations are not considered to generate high levels of noise and would be limited to a short period of time each day. Furthermore, the small number of people who would be on the site would help to limit the impact of the use on the surrounding locality. In addition Northgate Parade is located to the south of the site and there is a petrol station on the corner of Northgate Place some of which are open far later than 20:00.
- 5.9 As such it is considered that the proposed change of use as set out in the submission would not result in unacceptable levels of disturbance for the neighbouring residents or occupiers of the adjacent commercial premises given the limited operational times, limited numbers occupying the building and the context of the surrounding locality.
- 5.10 A number of objections have been received by local residents regarding the location of the development and how the proposed use would impact on the surrounding residential area. An application was previously submitted for the Change of Use from office (B1) to a kitchen to feed the homeless (Sui Generis), ref: CR/2020/0050/FUL. That application had proposed that food would be prepared and distributed on site with approximately 50 visitors coming to the premises each evening to receive a meal. It was proposed that food would be served between 7pm – 9pm by 12 volunteers.

This application was withdrawn due to the concerns about the impact of large numbers of people visiting the site every evening and the impacts on amenity as a result.

- 5.11 The current application differs from the previous application as there would be no visitors or customers coming to this site. The use would be for food preparation and the only people who would use the building would be a maximum of five volunteers a day from between 17:00 – 20:00 who would use the site to cook, pack and then load the delivery van to distribute food off-site to the homeless community in Crawley. Furthermore, the floor plans submitted with the application do not show any form of dining area. These aspects can be controlled by conditions including a personal condition, so that the development is carried out in accordance with the approved plans and that the site is only used and operated as stated by the applicant and only to prepare, cook, pack and load the food into the van, within the stated hours which would further control the operations on the site.
- 5.12 In regard to operational noise from the cooking equipment, it is proposed to install an extract system within the building and this would require a small roof mounted cowl. Environmental Health were notified on the application and raised no objection in regard to the noise impacts, nor did they suggest any conditions. Further the extractor would only be operational whilst the cooking is carried out which would stop by 18:30. As such it is not considered that the proposed extractor system would result in an adverse impact on amenity in this regard.

Odour

- 5.13 In terms of possible odour impacts, Environmental Health have requested a pre-commencement condition which requires the submission of an Odour Management Plan which should set out the cleaning, maintenance and filter replacement policies. The plan should include a written recording system to record and demonstrate when all such work is carried out. Subject to this condition, it is not considered that the proposal would result in unacceptable odour impacts on the surrounding neighbouring properties and would accord with development plan policy in this regard.

Highways considerations

- 5.14 The site is located at the north west end of Northgate Place, which at this point is privately maintained. There are three parking spaces to the front of the site and 2 – 5 volunteers would be at the site each day. The applicant states that volunteers would use nearby roads to park so that the space to the front would be available for the delivery van. An unrestricted food preparation use would be B2 General Industrial and the approved use of the site is B1(now Class E). The floor area of the building measures approximately 255sqm therefore 3 parking spaces would be required for either an office use or for a B2 use. The proposal therefore accords with these standards as there are currently 3 spaces which are proposed to be retained.
- 5.15 WSCC Highways advises that whilst some overspill parking may occur, it does not consider that this would be detrimental to highway safety. The site is sustainably located within walking distance of local shops and services, bus stops and Crawley Train Station for volunteers to access the site sustainably. Objections have been raised in terms of the use of Northgate Parade to access the site which is already congested and at capacity. However, given the small scale nature of the operation and the fact that WSCC does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, the proposal would comply with National Planning Policy Framework (paragraph 109). WSCC advises that there would be no transport grounds to resist the proposal and as such the proposal would be acceptable and would accord with policy in this regard.

Impact on the design and visual amenity of the existing site and surrounding area

- 5.16 The proposed change of use would not result in any external alterations to the building other than a small roof mounted vent. It is also proposed that the hardstanding and parking area to the front of the site would remain as existing. As such, the proposal is not considered to result in an adverse impact on the design or visual amenity of the existing site or the surrounding area and as such would accord with development plan policy in this regard.

CONCLUSIONS:-

- 6.1 The principle of the development is considered acceptable. The proposal as set out in the application details would not result in an adverse impact in terms of design and visual amenity or the amenity of nearby commercial or residential properties. The highways impacts would also be acceptable. The proposed development is small scale in nature and would bring a disused building back into use. The proposal would also provide a significant community benefit for the wider area which would accord with policies IN1 and IN5 of the Crawley Borough Local Plan 2015 – 2030. A number of conditions are suggested in order to control the use of the building, including making the permission personal to the applicant, as well as hours of operation to help limit the impacts of the development. As such the proposal is considered acceptable and is recommended for approval, subject to conditions.

RECOMMENDATION RE: CR/2020/0462/FUL

PERMIT subject to conditions.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The use and occupancy of the land and buildings shall only be for the Charity Giving Back Crawley and shall not be undertaken by any other user and not for any other use as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended).
REASON: In order to maintain control over the development and protect amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
4. The development hereby permitted shall not at any time be used to serve food on the premises or allow visitors to the site other than those set out within the application. The approved use shall solely be to prepare, cook and pack food (and associated cleaning / administration) to be distributed off site.
REASON: To reflect the terms of the application and in order to protect residential amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
5. The development hereby permitted shall not operate beyond 20:30 on any day unless otherwise agreed in writing by the Local Planning Authority.
REASON: In order to protect residential amenity in accordance Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
6. Prior to the commencement of the development hereby permitted, an Odour Management Plan, setting out cleaning, maintenance and filter replacement policies according to the proposed system shall be submitted to and approved in writing by the Local Planning Authority. The plan should include a written recording system to record and demonstrate when all such work is carried out. The approved odour management plan shall then be implemented in accordance with the approved details for the duration of the use.
REASON: To ensure that occupiers of the nearby residential premises do not suffer a loss of amenity by reason of odour/smoke nuisance from the kitchen extract system in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030
7. The extraction system shall be implemented in accordance with the Extraction Statement dated 30.07.2020 submitted with the application and shall not be altered unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interests of residential amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015 - 2030

8. The three parking spaces as shown on drawing 5691-003 dated 12.12.2019 shall be retained in perpetuity for the duration of the development unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of adjacent highways in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

1. NPPF Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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



ArcGIS Web Map

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1:750

