

**LOCATION:** [42 & 44 BRIGHTON ROAD, SOUTHGATE, CRAWLEY](#)  
**WARD:** Southgate  
**PROPOSAL:** OUTLINE APPLICATION (ACCESS AND LAYOUT TO BE DETERMINED WITH APPEARANCE, LANDSCAPING AND SCALE RESERVED) FOR THE ERECTION OF A PART 3 AND PART 4 STOREY BUILDING COMPRISING OF 5 X 1NO. BEDROOM FLATS AND 15 X 2NO. BEDROOM FLATS, OF WHICH 2 NO. WILL BE DESIGNATED AS AFFORDABLE HOUSING, FOLLOWING THE DEMOLITION OF EXISTING SEMI-DETACHED DWELLINGS, THE IMPROVEMENT OF AN ACCESS FROM BRIGHTON ROAD, THE CREATION OF A NEW VEHICULAR ACCESS FROM STONEFIELD CLOSE AND ASSOCIATED WORKS AND LANDSCAPING

**TARGET DECISION DATE:** 16 December 2020

**CASE OFFICER:** Ms D. Angelopoulou

**APPLICANT'S NAME:** Turnbull Land Ltd

**AGENT'S NAME:**

**PLANS & DRAWINGS CONSIDERED:**

Drawing Number	Revision	Drawing Title
0268-P020		Location and Proposed Block Plan
0268-P021	A	Proposed Site Plan showing ground floor layout
0268-P022	B	Illustrative 1st and 2nd Floor Plans
0268-P023		Illustrative 3rd Floor And Roof Plans
0268-P024		Illustrative West Elevation
0268-P025	A	Illustrative South Elevation
0268-P026	C	Illustrative East Elevation
0268-P027	A	Illustrative North Elevation
0268-P028	A	Illustrative South Streetscene Elevation
0268-P029		Illustrative Section A A
0268-P030		Illustrative Section B B
0268-P031		Illustrative Landscaping Plan
0268-P032		Illustrative Coloured Streetscene Elavation
0268-P033		Schedule Of Accomodation
S18/6717/01		Topographical Survey
18-676-TPP		Tree Protection Plan

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

Type	Comments
1. GAL Aerodrome Safeguarding	No objection subject to conditions & informative.
2. WSCC Highways	Comments awaited. Under previous application CR/2019/0214/OUT - No objection subject to conditions & informative.
3. National Air Traffic Services (NATS)	No objection.

4.	Thames Water	No objection subject to condition & informative
5.	Sussex Building Control Partnership	No response received.
6.	Police	Comments regarding Secured by Design
7.	CBC Drainage Officer	No objection subject to conditions.
8.	CBC Housing Enabling & Development Manager	No objection.
9.	CBC Planning Arboricultural Officer	Comments awaited. Under previous application CR/2019/0214/OUT - no objection subject to condition.
10.	CBC Environmental Health	Comments awaited. Under previous application CR/2019/0214/OUT - no objection subject to condition.
11.	CBC Refuse & Recycling Team	No objection subject to condition.
12.	Southern Water Ltd	No objection subject to informative.
13.	CBC Energy Efficiency & Sustainability	No objection subject to conditions & informative.
14.	CBC Urban Design	No response received.
15.	CBC Countryside & Open Space	Under previous application CR/2019/0214/OUT - comments regarding open space contributions.

### **NEIGHBOUR NOTIFICATIONS:-**

The application was publicised through site notices and a press notice, with a consultation period running from 07/10/2020 until 28/10/2020.

### **RESPONSES RECEIVED:-**

Seventeen letters of objection including resubmission of a previously submitted petition with 14 signatures have been received. Three letters in support of the application have also been received. The concerns and comments in support are summarised below:

#### **Objections**

Impact upon visual amenity the street scene and the character of the area

- Too high and would dwarf any adjacent buildings.
- The building should be restricted to two floors.
- Would change the landscape of Stonefield Close.
- Represents over development of the site.
- The separation distance between the building and nearby properties is not sufficient, there would only be a gap of approximately 16m between the buildings north elevation and Alexander Court.
- There should be no bedrooms on the northern side of the building facing Alexander Court other than at ground floor level.
- There is an insufficient gap between the rear elevation of the building and the properties on Stonefield Close.
- The design is not in keeping with the streetscene and totally out of keeping within a tree lined cul-de-sac of bungalows.
- Loss of greenery within the streetscene.

Impact on neighbours

- Would overlook properties on Stonefield Close.
- The flats would overlook the rear gardens of properties on Stonefield Close.
- Alexander Court would be overlooked by a 3-4 storey building.
- Would block sunlight for Alexander Court, a daylight and sunlight assessment should be conducted.
- The balconies on the northern elevation would impact the privacy of the flats in Alexander Court.
- Would impact the residential amenity of No. 26 Stonefield Close to the east of the application site.
- Extra noise and pollution from cars.
- Would impact the quality of life of residents on Stonefield Close.

- Noise and pollution during demolition and building works.

#### Highways and parking

- There would be extra cars parking in Stonefield Close which would cause access issues.
- Young people have more than one car which would result in more parking on the street.
- It would restrict access, and cause issues with vans/dustcarts getting through Stonefield Close.
- The entrance for the car parking should be in Brighton Road to reduce the traffic in Stonefield Close.
- Would cause access issues to Alexander Court which also has an access onto Stonefield Close.
- The turning space within the parking areas is not sufficient.
- It is not clear how many parking bays would remain on Stonefield Close after the development, there are currently only 15.
- Inadequate parking provision.
- No visitor parking.
- There is already congestion on Brighton Road during rush hour and when the level crossing is closed, this would be worsened.

#### Other matters

- Would result in the loss of wildlife in the garden and the loss of trees.
- Crawley has more than enough flats, more detached or semi-detached homes should be provided as flats are ruining the economy.
- Added problems of theft and possibly break-ins.
- The proposal would increase criminal activity on Stonefield Close, where there is already evidence of criminal activity on the street and where there are many vulnerable elderly people living.
- Most people in the close were unhappy with the first proposal for this area, and this current application will not make it different.
- The existence of the existing little wildlife will be further reduced.

#### Councillors Morgan Flack and Peter Lamb have commented that:

- Development of this site is not required to meet the town's housing need at this time.
- The proposal would result in overlooking/loss of privacy of No.26 Stonefield Close.
- The proposal would not have sufficient parking and the residents would put a strain on the area's already exhausted parking supply.
- There are mature trees on this site which will be lost as part of the proposal.
- The proposal will be out of keeping with its surroundings and would be detrimental to the visual amenity of the area.
- The proposal will result in a significant increase in vehicle movements into what is currently a quiet road (Stonefield Close).
- Essentially the same proposal was recently rejected by the council, a decision which was upheld at appeal. The changes made are incredibly minor, ignoring the great range of problems outlined both at the time and since.

#### In support

- Well thought out development in an excellent location for schools, shops and public transport, in keeping with what Crawley needs.
- There has been an increase of new construction recently and this is great for the town and community.
- Congestion or pollution would not increase as many residents of these flats will likely be commuters, and as such 20 parking spaces are plenty and is good to have cycle stores. The Highways report states that the one bay removed would be replaced.
- No incidents or near misses appear in the area, and Stonefield Close is not already congested regarding parking.
- The residents' petition appear to have some same addresses.
- Objections submitted appear to be opinions of people who do not like change, and there are the same made as last year when the application was only refused on the grounds of a lack of affordable housing. As this has now been addressed, the committee should approve this application.

#### **REASON FOR REPORTING TO COMMITTEE:-**

The application is for 'major' development.

### **THE APPLICATION SITE:-**

- 1.1 The application site is located on the eastern side of Brighton Road at its junction with Stonefield Close, within the neighbourhood of Southgate. The site measures 0.17 hectares, and currently contains a pair of semi-detached dwellings, Nos. 42 and 44 Brighton Road. The two properties are brick built with red tile hanging detailing at first floor level and pitched roofs. There are attached garages on the sides of the two properties. No. 42 Brighton Road has vehicular access from Stonefield Close, whilst No. 44 Brighton Road has a vehicular access onto Brighton Road.
- 1.2 There are a number of mature trees and other vegetation on the site. This includes screening along the western boundary fronting Brighton Road, the southern boundary adjacent to Godolphin Court, and on the eastern boundary of the site adjacent to No. 26 Stonefield Close.
- 1.3 The surrounding area is predominantly residential in character. To the south is Godolphin Court (a three storey block of flats), to the north is Alexander Court (a two storey block of flats), and to the west is Glendon House (a three storey block of flats). To the east along Stonefield Close are semi-detached bungalows.
- 1.4 The site lies on Brighton Road which is a classified 'A' road, and within Gatwick Safeguarding Zone which requires GAL Safeguarding and NATS to be consulted on proposals which exceed 10m in height.

### **THE PROPOSED DEVELOPMENT:-**

- 2.1 The application seeks outline planning permission for the demolition of the existing two semi-detached properties and the erection of a part 3/part 4 storey residential building, comprising 5x 1no. bedroom flats and 15x 2no. bedroom flats. Approval is sought for access and layout at the outline stage, with appearance, landscaping and scale to be considered as Reserved Matters.
- 2.2 The application is a re-submission following the previously refused, and subsequently dismissed at appeal, application CR/2019/0214/OUT, which related to a similar development. That application was refused and dismissed at appeal on the grounds that it would not make appropriate provision for affordable housing, tree planting and open space contributions. This current application now proposes 2 ground floor flats, a 1-bedroom flat and a 2-bedroom flat, to be shared ownership affordable units. This is the only change to the previously submitted scheme.
- 2.3 There would be two vehicular accesses to the site, the existing access from Brighton Road would be retained to provide access to the small car parking area in front of the building. A new access would be created on to Stonefield Close providing access to the larger parking area. In total, 20no. on-site car parking spaces would be provided. A cycle store would be located on the southern side of the site, providing covered storage for 38no. cycles.
- 2.4 In terms of layout, the accompanying plans show that the building would be located within the middle of the site and would have a maximum width of 24m and a length of 24.5m. It would be set back 12m from Brighton Road, 5m from Stonefield Close, and there would be a gap of 29-31.5m between the rear elevation of the building and No. 26 Stonefield Close to the east. The illustrative elevations show a flat roofed building with recessed balconies on the front elevation, decorative textured brickwork and metal cladding to the 3<sup>rd</sup> and 4<sup>th</sup> storeys.
- 2.5 The following supporting documents have been submitted with the application:
  - A site layout plan
  - Indicative proposed floorplans, elevations and streetscene elevations
  - Tree Survey Report April 2019
  - Planning Statement
  - Design and Access Statement
  - Drainage and Flooding Statement
  - Noise Assessment
  - Covering Letter

- Bird Hazard Management Plan

## **PLANNING HISTORY:-**

3.1 CR/2019/0214/OUT - OUTLINE APPLICATION (ACCESS AND LAYOUT TO BE DETERMINED WITH APPEARANCE, LANDSCAPING AND SCALE RESERVED) FOR THE ERECTION OF A PART 3 AND PART 4 STOREY BUILDING COMPRISING OF 5 X 1NO. BEDROOM FLATS AND 15 X 2NO. BEDROOM FLATS, FOLLOWING THE DEMOLITION OF EXISTING SEMI-DETACHED DWELLINGS, THE CREATION OF A NEW VEHICULAR ACCESS FROM STONEFIELD CLOSE AND ASSOCIATED WORKS AND LANDSCAPING (AMENDED PLANS RECEIVED).

This application was considered by Planning Committee at its meeting on 18 November 2019 and refused on 19 November 2019 for the following reasons:

1. The proposal would not provide any provision towards affordable housing, where there is a significant and demonstrated need in the Borough. The proposed development is therefore contrary to Policies H4 of the Crawley Borough Local Plan 2015-2030, the Affordable Housing Supplementary Planning Document (2017), and paragraph 64 of the National Planning Policy Framework (2019).
2. An agreement is not in place to ensure that the appropriate contributions for tree planting and open space are secured. The development is therefore contrary to policies CH6, ENV5, and IN1 of the Crawley Borough Local Plan 2015-2030 and Supplementary Planning Guidance Document 'Green Infrastructure'.

The subsequent appeal was dismissed on 13 July 2020.

- 3.2 CR/040/1988 – ERECTION OF TWO STOREY SIDE EXTENSION, DOUBLE GARAGE AND FRONT EXTENSION AT 44 BRIGHTON ROAD. PERMITTED HOWEVER NOT IMPLEMENTED.
- 3.3 CR/155/1979 – ERECTION OF EXTENSION TO GARAGE WITH PROVISION FOR ROOM ABOVE AT 44 BRIGHTON ROAD. PERMITTED HOWEVER NOT IMPLEMENTED.
- 3.4 CR/142/67 – ERECTION OF A BUNGALOW AND GARAGE, STONEFIELD CLOSE REAR OF 42 AND 44 BRIGHTON ROAD. REFUSED.
- 3.5 CR/466/64 – PROPOSED FORMATION OF ADDITIONAL BEDROOM OVER THE GARAGE AT 44 BRIGHTON ROAD. PERMITTED HOWEVER NOT IMPLEMENTED.
- 3.6 CR/465/64 – PROPOSED FORMATION OF ADDITIONAL BEDROOM OVER GARAGE, AT 42 BRIGHTON ROAD CRAWLEY. PERMITTED HOWEVER NOT IMPLEMENTED.

## **PLANNING POLICY:-**

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

- 4.1 The National Planning Policy Framework (NPPF) published in 2019 states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- Paragraph 8 states that achieving sustainable development means the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are:
    - a) an economic objective – “to help build a strong, responsive and competitive economy...”
    - b) a social objective – “to support strong, vibrant and healthy communities....”
    - c) an environmental objective- “to contribute to protecting and enhancing our natural, built and historic environment...”
  - Section 4 – Decision Making states that Local Planning Authorities should approach decisions on proposed development in a positive and creative way
    - Paragraph 57 states that where up-to-date policies have set out the contribution expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a

viability assessment at the application stage. All viability assessments should be made publicly available.

- Section 5 – ‘Delivering a sufficient supply of homes’ emphasises the need for the planning system to deliver a sufficient supply of homes including affordable housing and the need for LPA’s to maintain and monitor the supply of housing against its housing requirement.
  - Paragraph 64 states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:
    - a) provides solely for Build to Rent homes;
    - b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);
    - c) is proposed to be developed by people who wish to build or commission their own homes; or
    - d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.
- Section 8 – ‘Promoting healthy and safe communities’ seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible so that crime and disorder and fear of crime do not undermine quality of life and enable and support healthy lifestyles. Planning policies and decisions should promote public safety and take into account wider security (and defence) requirements.
- Section 9 – ‘Promoting sustainable transport’ sets out transport considerations for new development including potential impacts on the existing transport network/s, opportunities for sustainable modes of transport and the need to focus development in sustainable locations. Paragraph 110 states that applications for development should give priority first to pedestrian, cycle and public transport movements, address the need of people with disabilities in relation to all transport, create safe, secure and attractive places avoiding conflict between different transport users, allow for efficient delivery of goods, and access by service and emergency vehicles and be designed to enable charging of plug-in vehicles.
- Section 11 – ‘Making effective use of land’ states in paragraph 117 that *‘Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions’*. The redevelopment of underutilised land and buildings is encouraged, and LPA’s should take a positive approach to alternative uses of currently developed land which is not allocated for a specific purpose to meet identified development needs. Paragraphs 122 and 123 seek to ensure efficient use though achieving appropriate densities on each site.
- Section 12 - ‘Well designed places’ states that good design is a key aspect of sustainable development and that the planning and development process should achieve the creation of high-quality buildings and places. Paragraph 127 states:
  - ‘Planning policies and decisions should ensure that developments:*
    - a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
    - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
    - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
    - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
    - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
    - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, and where crime and*

*disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

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

#### Crawley Borough Local Plan (2015-2030) (adopted December 2015)

4.2 The following Local Plan policies are relevant to this application:

- Policy SD1: Presumption in Favour of Sustainable Development. This is the overarching policy for the plan and states that there will be a presumption in favour of sustainable development. Development will be supported when it complements Crawley’s character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the use of sustainable travel. Development will be supported where it respects the heritage of the borough and protects, enhances and creates opportunities for Crawley’s unique Green Infrastructure and accords with other policies and objectives unless material considerations indicate otherwise.
- Policy CH2: Principles of Good Urban Design 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 will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate “Secure by Design” principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
- Policy CH4: Comprehensive Development and Efficient Use of Land. Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.
- Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, based on the Nationally Described Space Standards, and be capable of adaption through meeting Building Regulations Part M Category 2. 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. Landscape proposals for residential development should contribute to the character and appearance of the town by including at least

one new tree for each new dwelling, of an appropriate species and planted in an appropriate location. If on-site provision is not feasible or desirable, commuted sums will be sought in lieu.

- Policy H1: Housing Provision. The council will positively consider proposals for the provision of housing to meet local housing need ensuring against town-cramming or unacceptable impact on the planned character or neighbourhoods or residential amenity.
- Policy H2: Key Housing Sites. This policy encourages residential uses in the town centre, identifying the area as a broad location for housing.
- Policy H3: Future Housing Mix. All housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. The appropriate mix of house types and sizes for each site will depend upon the size and characteristics of the site and the viability of the scheme. However, consideration should be given to the evidence established in the Strategic Housing Market Assessment and its updates for market housing needs and demand in Crawley.
- Policy H4: Affordable and Low Cost Housing. 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 ENV5: Provision of Open Space and Recreational Facilities. The impact of the increased population from residential development on open space and recreational facilities across the Borough will be mitigated by the use of the Community Infrastructure Levy which will be used to enhance existing areas of open space. This policy requires development to make provision for open space and recreational facilities.
- Policy ENV6: Sustainable Design and Construction. In order to maximise carbon efficiency, all homes will be required to meet the strengthened on-site energy performance standards of Building Regulations and any subsequent increased requirements along with the water efficiency standards.
- Policy ENV8: Development and Flood Risk. Development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV9: Tackling Water Stress. New dwellings should where viable and technically feasible, meet the Building Regulations' optional requirement for tighter water efficiency.
- Policy IN1: Infrastructure Provision. Development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services. The council will seek to implement a Community Infrastructure Levy (CIL) through the relevant processes. The rate will be set following the adoption of the Charging Schedule.
- Policy IN2: Strategic Delivery of Telecommunications Infrastructure states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- 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. 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. 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. Car parking standards for



residential development are based on the accessibility of the area, the levels of car ownership, and the size of any new dwellings.

#### Emerging Crawley Borough Local Plan 2020 – 2035 (January 2020)

- 4.3 The Local Plan Review 2020-2035 has been published for Regulation 19 consultation and therefore limited weight should be given to the following applicable policies:
- Policy SD1: Presumption in Favour of Sustainable Development.
  - Policy CL1: Neighbourhood Principle.
  - Policy CL2: Making Successful Places: Principles of Good Urban Design.
  - Policy CL3: Local Character and Form of New Development.
  - Policy CL4: Effective Use of Land: Sustainability, Movement and Layout.
  - Policy CL5: Form of New Development – Layout, Scale and Appearance.
  - Policy DD1: Normal Requirements of All New Development.
  - Policy DD4: Tree and Landscape Character Planting.
  - Policy DD5: Tree Replacement Standards.
  - Policy IN1: Infrastructure Provision.
  - Policy IN3: Supporting High Quality Communications.
  - Policy H1: Housing Provision.
  - Policy H4: Future Housing Mix.
  - Policy H5: Affordable Housing.
  - Policy SDC1: Sustainable Design and Construction.
  - Policy SDC2: District Energy Networks.
  - Policy ST1: Development and Requirements for Sustainable Transport.
  - Policy ST2: Car and Cycle Parking Standards.

#### Supplementary Planning Documents

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

#### Urban Design SPD 2016:

- 4.5 This SPD includes further guidance, examples and explanation of the principles of good urban design and public realm design.
- 4.6 In relation to massing and materials it advises that buildings within the urban realm should work harmoniously and complement each other and that “*All new elements within the urban realm should consider the scale and materiality within their immediate context, as well as the overall character of their setting*”. The document explains that building heights in Crawley have been dictated by the history of the town and new development should show consideration to the scale and massing of its immediate surroundings. Proposals should consider existing and important views, relationship to human scale, possible wind tunnels, overshadowing and existing trees/hedges.
- 4.7 The SPD states that developments should consider how the immediate space around them may be occupied/developed in the future and accommodate any potential development.
- 4.8 The SPD includes minimum rear window to window distances (21 metres for two storeys and 30 metres for three storeys or more), the minimum distance between a blank gable and rear of an adjacent building and outdoor amenity space standards.
- 4.9 In respect of multi-dwelling residential development (flats) the SPD seeks a *minimum of 5sqm of private outdoor space, where the smallest dimension is not less than 1500mm, is provided for 1 to 2 person flats plus an extra 1sqm for each additional occupant. For apartments and flats, a useable private space should also be provided for residents. While balconies provide a good solution, they may not be appropriate in all contexts and a semi-private outdoor, communal space may be suitable*. Guidance is given on the shape, orientation, privacy, layout and position of amenity space provision. Detailed advice is provided to ensure that flatted developments are

integrated into the community. The SPD states “*Elements of the design, such as entrances, public and private spaces and routes through should be clear and easy to navigate. The scale, massing and form of the development should relate to the surrounding area. The openings on the façades should reflect the local vernacular in proportions and a balance should be achieved between solid walls and window/door apertures. The roof design should be considered during the initial design stage and not left to the end to be resolved. Details and decorations are encouraged in residential developments, as they will create more character and visual interest. The materials used can often help with creating such details and decorations with little other effort – for example, a change in material within the elevation can help break up the mass of a building. Flatted developments, in particular those with multiple buildings, should endeavour to provide visual interest through a variation in the elevational treatment. Parking provisions should meet the recommendations set in Annex 1.*”

- 4.10 It also includes the Crawley minimum car parking standards. For 1 bed and 2 bed flats in this location, the minimum standards are 1 car parking space per dwelling. Regarding cycle parking it is stated that: ‘*All cycle parking must be sheltered and secure and in accordance with local guidance and best practice design. For one bed dwellings: One space per dwelling and 1 space per 8 dwellings for visitors will be required. For two bed dwellings or more: 2 spaces per dwelling and 1 space per 8 dwellings for visitors will be required.*’

#### Green Infrastructure SPD 2016:

- 4.11 This SPD provides guidance on how to meet the requirements of Local Plan Policies in relation to Crawley’s Green Infrastructure assets. It provides further guidance on Policy CH6: Tree Planting and Replacement Standards. This document includes a costing of £700 per tree in lieu of on-site planting. It also sets out the open space standards and costings. The document also links to the Urban Design SPD in respect of considering landscaping as part of high quality design.

#### Planning and Climate Change SPD 2016:

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

#### Affordable Housing SPD (adopted November 2017)

- 4.13 This SPD includes further guidance on the requirements of policies H3 and H4 in the Local Plan and when affordable housing would be sought from residential development.

#### Crawley Community Infrastructure Levy Charging Schedule 2016

- 4.14 The Crawley CIL Charging Schedule has been in effect since 17<sup>th</sup> August 2016 and is also relevant to this application as the proposal would create new residential flats.

#### Developer Contributions Guidance Note (published July 2016)

- 4.15 This sets out the Council’s approach to developer contributions following the introduction of the Community Infrastructure Levy. It provides details of the CIL charges and when S106 contributions will be sought.

### **PLANNING CONSIDERATIONS:-**

- 5.1 The application is a re-submission following the previously refused application CR/2019/0324/OUT, which related to a similar development. That application was refused and dismissed at appeal on the grounds that it would not make appropriate provision for affordable housing, tree planting and open space. The current proposal would be assessed to ascertain whether the previous reasons for refusal have been overcome and against other material planning considerations as set out below.
- 5.2 The application is for outline permission with access and layout to be determined at this stage and with appearance, scale and landscaping to be Reserved Matters. The site is within walking distance of Crawley town centre and a number of local facilities including schools and GP Surgeries. The

proposal represents the redevelopment and the intensification of residential use of a site in the built up area. In principle it is considered acceptable in planning policy terms, subject to addressing the more detailed matters considered below:

- Layout and impact on visual amenity
- Impact on neighbouring properties and residential amenities
- Impact on trees and landscaping
- The acceptability of the proposed development for future occupiers
- The impact on access, highways, parking and operational requirements
- Noise impacts
- Drainage
- Sustainability
- Gatwick Airport and bird hazard management plan
- Affordable Housing
- Infrastructure Requirements

#### Layout and impact on visual amenity

- 5.3 The site is located in a residential area, within the built up area boundary. The streetscene of Brighton Road is characterised by a mixture of blocks of flats including Godolphin Court which is a three storey block of flats to the south of the application site, Alexandra Court which is a two storey block of flats to the north of the application site, and Glendon House which is a three storey block of flats to the west of the application site on the opposite side of the road. To the east along Stonefield Close are semi-detached bungalows.
- 5.4 The proposal would involve the demolition of the existing pair of semi-detached houses and the erection of a part 3 and part 4 storey block of 20 flats.
- 5.5 Policy CH2 (Principles of Good Urban Design) of the Crawley Borough Local Plan (2015-2030) states that all development proposals should respond to and reinforce locally distinctive patterns of development and landscape character. Policy CH3 (Normal Requirements of All New Development) requires all proposals for development in Crawley to make a positive contribution to the area; be of high quality design and should relate sympathetically to their surrounds in terms of scale, density and layout. They should also retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operations requirements necessary for safe and proper use of the site. The scale and massing of flattened developments should also relate to the surrounding area.
- 5.6 The proposed building would be positioned in the centre of the site, with the entrance facing onto Brighton Road. There would be two vehicular accesses, the first from Brighton Road would serve a small parking area (5no. spaces) and the second from Stonefield Close which would serve the main parking area (15no. spaces).
- 5.7 It is indicated that the four storey element of the building would be located on the southern side of the site and the three storey element would be on the northern side. As layout is not a reserved matter, the building would be positioned 3.5m from the southern boundary, 9m from the western boundary, 2m from the northern boundary and 24-27m from the eastern boundary. The front elevation of the building would be in line with the front elevation of Godolphin Court. Overall, the proposed positioning of the building is considered to be acceptable, and the front elevation of the building would relate well to the existing streetscene of Brighton Road and the front elevation of Godolphin Court to the south. Although the northern elevation of the proposed building would project forward of the front building line of the bungalows along Stonefield Close, it is considered that, due to the 29-31.5m separation distance between the building and the bungalows and as a similar existing relationship already exists between Alexander Court and the front elevation of the bungalows on the northern side of Stonefield Close, that the proposed positioning of the building would be acceptable.
- 5.8 The footprint of the proposed building would be significantly larger than the existing two semi-detached properties and, given the proposed height of part 3 and part 4 storeys, it would be clearly visible from both Brighton Road and Stonefield Close. It is considered that the illustrative increase in

massing on the southern side of the building is acceptable in principle given the height of the existing neighbouring building Godolphin Court to the south and the streetscene of Brighton Road. This would be subject to further consideration of the design and massing at reserved matters stage. Therefore, in general terms the illustrative bulk and massing are considered to be acceptable in this location.

- 5.9 Illustrative plans showing the elevations of the building have been submitted to support the application. It is considered that the indicative design would be an acceptable addition to the streetscene area of Brighton Road and would not adversely affect Stonefield Close. In particular, the use of brick detailing and texture, the inclusion of recessed balconies and contrasting materials for the 3<sup>rd</sup> floor elements is likely to form the basis of an acceptable scheme. Notwithstanding this it is considered that:
- The choice of finishing materials should satisfactorily demonstrate how the scheme provides a high quality design solution.
  - Detailed consideration of design features to mitigate the impact of overlooking through appropriate window and balcony design, particularly on the rear elevation of the building, should be provided.
- 5.10 Therefore, subject to these matters being addressed in the detailed design of the scheme at the reserved matters stage, it is considered in principle the development accords with the NPPF which emphasises the importance of good design and Policies CH2 and CH3 of the Local Plan.

#### Impact on neighbouring properties and residential amenities

- 5.11 In terms of the impact on neighbour amenity, the closest residential properties would be No. 26 Stonefield Close to the east (a semi-detached bungalow), a 3-storey block of flats (Godolphin Court) to the south and a 2-storey block of flats (Alexander Court) to the north.
- 5.12 The front elevation of the building would face Brighton Road and the rear elevation would face towards the side elevation of No. 26 Stonefield Close. In order to prevent any potential harmful overlooking and privacy issues the Urban Design SPD seeks a 30m distance between three storey building and the rear elevations of any facing dwelling. The proposal would be located 29-31.5m away from the western side elevation of No. 26 Stonefield Close, which has its entrance and three secondary windows on its western elevation. It is considered that the relationship between the proposed building and No. 26 would be satisfactory, as the gap between the buildings is sufficient to address overlooking and would ensure that the proposal would not have a significant detrimental overbearing impact on the amenity enjoyed by the occupants of No. 26.
- 5.13 As a result of officer concerns, when considering the previous application, regarding potential overlooking and loss of privacy caused by the balconies on the rear elevation of the proposed building, the agent has proposed additional screening to the second and third floor balconies to protect the privacy of the future occupants of the flats and the residential amenity of the occupants of No. 26. It is considered that further details regarding this could be provided at the detailed design stage as part of the reserved matters considerations.
- 5.14 Regarding the impact on Godolphin Court to the south, a gap of 8m would be retained between the side elevations of the two buildings. The existing planting and trees between the two buildings would also be retained. The indicative floorplan shows that the windows on the southern side elevation would be obscure glazed to prevent overlooking and loss of privacy. Further details regarding this would be subject to consideration as a part of the reserved matters. Overall, however, it is considered that the relationship between the two buildings would be acceptable.
- 5.15 Concerns regarding the height of the proposed building have been raised by the occupants of Alexander Court particularly regarding overshadowing and loss of daylight. Assessment of scale is a reserved matter and does not form part of the considerations for this outline application. Having said that the illustrative scheme shows potential bulk and massing and it is clear that any building containing 20 flats would need to be roughly of the size shown. However, Alexander Court is located on the northern side of Stonefield Close and there would be a separation distance of 18m between the side elevations of the two buildings. It is considered that the resultant relationship, subject to detailed design, could be satisfactory and is a typical relationship between properties which are

separated by a road. There could be some shadowing caused by the proposed building, however it is not considered to be unacceptable as the lower element of the building (three storey) is proposed to be located on the northern side of the site closest to Alexander Court. It is considered the development could therefore be designed to prevent significant harm to the occupiers of the flats to the north.

- 5.16 Concerns were also raised by neighbours during the previous application over the loss of the existing mature vegetation screening along the eastern boundary with No. 26. It has been confirmed by the agent during the previous application that the existing cypress trees on the eastern boundary of the site will be retained and that additional planting is proposed to screen the building. This could be addressed in more detail at the reserved matters stage.
- 5.17 In conclusion, it is considered that the proposed positioning of the building within the site would be acceptable, with sufficient gaps between Godolphin Court and Alexander Court being retained. The separation distance between the rear elevation of the building and the western side elevation of No. 26 Stonefield Close is considered to be satisfactory, and the retention of the existing screening along the eastern boundary of the site would help to retain privacy for the existing occupants of No. 26. Detailed designs of the methods to minimise any potential overlooking through appropriate window and balcony design should be submitted at the detailed design stage and would be subject to consideration as a part of the reserved matters application.

#### Impact on trees and landscaping

- 5.18 The site contains a number of existing trees and mature vegetation which make a positive contribution to the visual amenity of the site and provide some privacy to the occupants of neighbouring residential properties. A tree survey has been submitted. It has identified that a number of trees would need to be removed in order to facilitate development. These include:
- T1 (red cedar) and T5 (cypress) to enable landscape improvements.
  - T15 (ash), T19 (hazel), T20 (photinia), T24 (apple), G1 (group of cypress, elder, maple, hazel and rhododendron) and G4 (red cedar) to enable the construction of a car park.
  - T16 (maple), T17 (maple), T18 (holly) and T21 (lilac) to enable the construction of the building.
  - Part of a hedge (H1) to enable construction of a new access.
- 5.19 The Council's Arboricultural Officer, when considering the previous application, raised no objection to the proposed removal of the trees on site, subject to suitable replacements.
- 5.20 Concerns were raised by neighbours during the previous application regarding the potential impact of the loss of vegetation along the eastern boundary of the site, on the boundary with No. 26 Stonefield Close. It has been confirmed by the agent and shown on the proposed site plan that the existing planting, trees and hedging along this boundary would be retained in order to protect the amenity of the occupants of neighbouring properties. Similarly the trees along the southern boundary of the site would also be retained.
- 5.21 Policy CH6 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 dwelling of an appropriate species and planted in an appropriate location. It also states that where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced in order to mitigate for the visual impact resulting from the loss of tree canopies. The Green Infrastructure SPD contains details on the calculations for replacement tree planting which are as follows:

Crawley Local Plan		Applicant total		
Trunk diameter of each tree	Nos. of replacement trees required	Removed Tree no.	Tree trunk diameter (cm)	Number of replacement trees required
Less than 19.9	1	T1	35	3
20-29.9	2	T5	24	2
30-39.9	3	T15	60	6
40-49.9	4	T16	18	1
50-59.9	5	T17	10	1

60-69.9	6	T18	10	1
70-79.9	7	T19	20	2
80+	8	T20	12	1
		T21	20	2
		T24	19.2	1
		G1	5 X less than 15	5
			<b>Total</b>	<b>25</b>

- 5.22 There would be a net increase of 18no. dwellings on the site. Therefore a total of 43 replacement/additional trees would be required. The site layout currently proposes that 10no. new trees will be planted within the site. The Council's Arboricultural Officer, when considering the previous application, has raised no objection to the proposed location of these trees. There is insufficient space within the site for all of the replacement/additional trees to be planted. As a result officers consider that a commuted sum can be paid for the additional requirement. This is detailed below in the infrastructure contributions section of the report.
- 5.23 The tree protection plan shows that the proposed building would not encroach into the RPA of any of the retained trees on the site, and it is considered that there is an acceptable distance between the proposed building and the tree canopies. Part of the proposed footpath along the southern side of the building would encroach into the RPA's of trees T10, T11, T12, T13 and T14. Similarly the proposed access on to Stonefield Close and parking area would encroach into the RPA of T25. It is proposed that a 'no-dig' method of laying the hardstanding would be employed around the RPAs of these trees. Tree protection fencing is proposed around the other retained trees on the site. Subject to a condition to ensure that all works are in accordance with the Tree Survey and the Tree Protection Plan, to ensure that trees are protected during implementation, it is considered that there would be an acceptable impact upon trees/landscaping.

#### The acceptability of the proposed development for future occupiers

- 5.24 Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe comfortable and sustainable living environment and sets out minimum sizes for each dwelling, which is based on the Nationally Described Space Standards. A 1 x bed, 2 person single storey dwelling should provide a minimum internal floorspace of 50 sqm, a 2 x bed, 3 person, single storey dwellings should provide a minimum floorspace of 61sqm, and a 2 x bed, 4 person, single storey dwellings should provide a minimum floorspace of 70sqm . From the indicative floorplans submitted it is evident that all of the proposed flats could meet the minimum internal space requirements.
- 5.25 The Council's Urban Design SPD recommends that a minimum of 5sqm of private outdoor space, where the smallest dimension is not less than 1500mm, is provided for 1 to 2 person flats plus an extra 1sqm for each additional occupant. It also states that while balconies provide a good solution, they may not be appropriate in all contexts and a semi-private outdoor, communal space may be suitable. The illustrative proposal shows private balconies/terraces to all flats. All of the balconies could meet the minimum 5sqm requirement. In addition there would also be a communal garden to the rear of the building at the south-east corner which would provide additional outdoor amenity space. A condition is recommended in this regard to ensure compliance with this private amenity space requirement.
- 5.26 The indicative elevation drawings also show screening to the balconies facing No. 26 Stonefield Close which would provide some privacy to future occupants and privacy to the amenity enjoyed by the occupants of No. 26 Stonefield Close.
- 5.27 Overall, it is considered that the proposed development could provide a satisfactory environment for future residents subject to the approval of the reserved matters and would therefore accord with Policy CH3 of the Crawley Borough Local Plan (2015-2030), the advice contained within the Urban Design SPD (2016) and the relevant paragraphs of the NPPF (2019).

#### The impact on access, highways, parking and operational requirements

- 5.28 The existing vehicular access from Brighton Road would be retained and extended. A new access from Stonefield Close would be created, with the existing crossover on the north-west corner of the site being blocked up.
- 5.29 Brighton Road is an 'A' class road and Stonefield Close is a 'D' class residential cul-de-sac. West Sussex County Council (WSSC) Highways, when considering the previous application, commented that the plans showing the retention of and extension to the width of the existing vehicle crossover on to Brighton Road would be acceptable. Regarding the proposed new cross over on to Stonefield Close, WSSC commented on the plans that there would be suitable visibility splays onto Stonefield Close, and that given the low speed and light trafficked environment, the development would not be considered to be a detrimental highway safety.
- 5.30 The proposed new access onto Stonefield Close, at the north-eastern corner of the site adjacent to the substation would result in a change to the on-street parking spaces that form part of the Controlled Parking Zone. The Area Office and Parking Team at WSSC, when considering the previous application, have commented that a Traffic Regulation Order would be required to remove the existing parking bay and the application of double yellow lines. The applicant had stated during the previous application a willingness to undertake this. An informative is recommended in this regard.
- 5.31 Comments have been received from neighbours, during the previous and current applications, highlighting concerns over the number of cars that would be associated with the proposed flats and the increased vehicular movement to and from the site. The existing use would see 9 two-way daily movements. The proposal would increase the number of vehicle trips, and is likely to generate approximately 45 two-way trips each day. The site is located on Brighton Road which is a busy route linking Crawley town centre with the A23 to the south. WSSC Highways, when considering the previous application, commented that it is not expected that the increase in the number of trips would have a detrimental impact on road capacity, given the existing movements on the local road network, and the proposal would not have a 'severe' cumulative impact on the operation of the highway network. As a result, the principle of the intensification of the use of the site regarding the highway capacity is considered to be acceptable.
- 5.32 Regarding on-site parking the site lies within the Town Centre Area for parking and the Crawley Borough Parking Standards are:
- 1 space per 1 and 2 bedroom dwelling
  - Cycle parking 1 space per 1 bedroom dwelling and 2 spaces per 2 bedroom dwelling, along with 1 space per 8 dwellings for visitors
- 5.33 This would give a requirement for 20no. parking spaces and 37.5no. cycle parking spaces. Two car parking areas are proposed, providing 20no. of parking spaces in total, which would accord with the minimum requirements. Five would be located within the smaller parking area accessed from Brighton Road and fifteen would be within the larger parking area on the eastern side of the site. WSSC Highways, when considering the previous application, commented on the parking layout and consider it to be broadly acceptable. There would be 6m aisle width in both the front and rear parking areas between parking spaces to allow manoeuvring on site, so that cars can exit on to the public highway in a forward gear. All of the spaces would also meet the minimum size requirements of 2.4m x 4.8m. One disabled parking space would be provided in the main larger parking area. Regarding cycle parking, two secure cycle stores would be located along the southern side boundary of the site, in total thirty eight spaces would be provided which would be in accordance with the minimum requirements.
- 5.34 Comments have been received from neighbours, during the previous and current applications, raising concerns over increased demand from future residents for the on-street parking spaces in Stonefield Close. The proposal would remove one on-street parking space to create a new access to the site. However one new space would be created where the existing dropped kerb would be reinstated. As a result, it is considered that the creation of the new access to the site would have a negligible impact on the on-street parking arrangements. Although the proposal would intensify the use of the site and could increase pressure for on-street parking, the site would meet the minimum requirements for parking and cycle parking. Stonefield Close is a Controlled Parking Zone where on-street parking is tightly regulated. All the properties on Stonefield Close have their own

driveways for at least two vehicles. It is not considered that the proposal would detrimentally increase demand for on-street parking, or adversely affect the parking arrangements for surrounding residential properties.

- 5.35 The site is also located in a sustainable location with good public transport links including Crawley Station, bus stops are located adjacent to the application site on Brighton Road, and cycle paths within the vicinity which would help to encourage the use of sustainable modes of transport and reduce demand for parking on Stonefield Close.
- 5.36 A refuse and recycling area is proposed on the eastern side of the site within the main parking area. The Council's Refuse and Recycling team have commented that this location would be acceptable and easily accessible, provided that the bin store has adequate lighting, the doors can be fixed in the open position during collection and is at ground level with no kerbs. This is recommended to be secured by condition.
- 5.37 Overall, it is considered that, although the proposal would increase the number of vehicular movements to and from the site, given the location of the site on Brighton Road which is a main road into and out of Crawley and the sustainable location of the site close to public transport links, that the overall impact would not be detrimental to the highway network. The proposal would meet the minimum car and cycle parking requirements, there would be a designated refuse and recycling area, and space within the site to manoeuvre in and out of parking spaces and parking areas, as a result the proposal is considered to meet its operational requirements. Therefore, the proposal is considered to accord with Policies CH3 and IN4 of the Crawley Borough Local Plan (2015-2030) and the Crawley Borough Parking Standards contained within the Urban Design SPD (2016).

#### Noise impacts

- 5.38 The application site fronts on to Brighton Road which is a classified road and a busy route into and out of the town centre. Traffic noise is therefore the main noise source. The applicant has submitted a noise assessment which concludes that:
- The façade fronting Brighton Road experiences higher sound levels than the facades to the rear of the building.
  - The balcony areas will exceed WHO levels for external spaces but these are acceptable because the range is "56.1-57.1 dB LAeq, 16 hr" and that this is a marginal exceedance.
  - Acceptable internal environment is achieved with closed windows only.
  - There is no provision for good acoustic design.
  - Conventional glazing and trickle vents are offered as a ventilation solution.
- 5.39 Policy ENV11 states 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. Noise sensitive uses will be permitted where it can be demonstrated that appropriate mitigation through careful planning, layout and design will be undertaken to ensure that noise impact for future users will be made acceptable.
- 5.40 The Environmental Health Officer, when considering the previous application, commented that, although it is likely that the site is capable of supporting the proposed development, the current proposed mitigation in the form of fixed shut windows and glazing and trickle ventilation to achieve the 45 LAeq would not be adequate, and would not be a sustainable solution or good acoustic design. It is considered that an alternative window and façade design should be adopted to ensure that internal standards can be achieved with windows open. The agent has expressed commitment to address the issues and conditions are recommended to be attached to a permission requesting detailed schemes to protect dwellings from the noise from Brighton Road, in addition to further consideration at the reserved matters stage.

#### Drainage

- 5.41 The application site does not lie within a Flood Zone. Details regarding proposed drainage have been submitted and these include connection to the surface water sewer on Brighton Road and the use of SuDS to limit flow at source.



- 5.42 The Council's Drainage Officer and WSCC Lead Local Flood Authority raised no objection subject to conditions requiring specific drainage designs to be provided at the reserved matter stage. It is also requested that if the developer is connecting to the surface water sewer that a confirmation letter from the water authority should be submitted confirming that they accept the discharge. These matters are recommended to be addressed via conditions.

### Sustainability

- 5.43 Policies ENV6 (Sustainable Design & Construction) and ENV9 (Tackling Water Stress) are relevant to this proposal from the perspective of environmental sustainability. Policy ENV6 requires that applications for new dwellings submit a Sustainability Statement detailing how the proposal will pursue the sustainability objectives set out in the policy. Policy ENV9 requires new dwellings to meet the 'optional' tighter standard for water efficiency introduced into the Building Regulations in 2015.
- 5.44 The Council's Energy Efficiency and Sustainability Officer, when considering the previous application, commented that compliance with this standard is assessed as part of the Building Regulations progress, but it can only be triggered by a Local Plan policy (such as ENV9) coupled with a planning condition. It is considered that a Sustainability Statement could be provided at a later stage, since the energy performance of a development would partly depend on some of the reserved matters, including the internal layout of the building and flats. Conditions are therefore recommended in this regard.

### Gatwick airport and bird hazard management plan

- 5.45 The site lies within a Gatwick Safeguarding Zone where Gatwick Airport is required to be consulted for proposed buildings over 10m. A bird hazard management plan has been submitted and has been considered acceptable by GAL Safeguarding. A condition is recommended to ensure that the proposed methods of dispersal are implemented. GAL also requested some other conditions regarding height limitation and landscaping scheme, which are recommended accordingly.

### Affordable Housing

- 5.46 Policy H4 of the Crawley Borough Local Plan sets out the expected levels of affordable and low cost housing within new housing developments. It seeks 40% affordable housing from all new developments, with a minimum of 70% of the affordable housing being Affordable Rent, or Social Rent where other forms of subsidy exist, and up to 30% Intermediate tenure. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering 10% discount to first-time buyers. The policy states that this will apply to all developments unless evidence demonstrates that this cannot be achieved from a viability perspective and the development meets a demonstrable need. Payment in lieu will only be accepted in exceptional circumstances.
- 5.47 In addition to local policy, at a national level, Paragraph 64 of the NPPF (2019) states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. The NPPF provides a definition of affordable home ownership as '*Housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market*', the definition goes on to explain further details regarding the types of housing considered to be affordable home ownership.
- 5.48 A viability appraisal had been submitted with the previous refused application CR/2019/0214/OUT and was independently assessed by Dixon Searle, an independent valuer on behalf of Crawley Borough Council. The viability appraisal submitted by the applicant concluded that it was not viable to provide any affordable housing on site or a surplus available towards a financial contribution. Following several rebuttals between the applicant and Dixon Searle, it was concluded that there was no surplus available for affordable housing. This, however, did not take into account paragraph 64 of the NPPF regarding the affordable housing requirement. Paragraph 64 requires at least 10% of

homes to be available for affordable home ownership, and makes no reference to the use of viability appraisals to reduce this requirement. Therefore, application ref: CR/2019/0214/OUT was refused because the proposal would have failed to meet even the minimum national requirement 10% affordable units as required by the NPPF (2019).

- 5.49 The applicant appealed against this refusal and the appeal was dismissed on 13 July 2020. In particular, regarding the affordable housing provision, the Inspector concluded that; *'the proposal would not make appropriate provision for affordable housing. The development would, therefore, be contrary to policy H4 of the CBLP, the requirements of which are set out above. The proposal would also be contrary to The Framework which states that, where affordable housing is identified to be required, it should be provided on site with 10% of the homes within major developments being available for affordable home ownership. The proposal would also be contrary to the Council's Affordable Housing Supplementary Planning Document (2017) which aims to enable the delivery of affordable dwellings in order to meet identified housing needs.'*
- 5.50 As a result of this dismissed appeal, the applicant submitted this current application with the provision of 2 ground floor flats, a 1-bedroom flat and a 2-bedroom flat, to be shared ownership. This represents an improvement upon the absence of affordable housing in the previous application, is in line with paragraph 64 of the NPPF and secures on-site provision. Whilst it is unfortunate that the scheme cannot deliver 40% affordable housing, this has been justified in viability terms under the previous refused planning application. There has been no change in economic conditions since to suggest that the scheme has become significantly more viable. The proposal would make a small contribution towards addressing Crawley's affordable housing needs and has addressed the previous reason for refusal and appeal dismissal. Provision of this level of affordable housing can be secured through a Section 106 agreement and officers consider that it represents a satisfactory outcome.

#### Provision of Infrastructure Requirements

- 5.51 Policy CH6 requires that landscape proposals for residential development should contribute to the character and appearance of the town by including at least one new tree for each new dwelling, of an appropriate species to be planted in an appropriate location. As set out in the Green Infrastructure SPD, a total of 43no. new trees would need to be provided. Only ten trees would be provided on site. Therefore a contribution would be sought for the remaining 33no. trees (£700 per tree). This is an outline planning application though where landscaping is a reserved matter. To allow flexibility if the number of on-site trees rises or falls, any legal agreement should include a formula to enable financial contribution to be made in lieu of the anticipated shortfall of tree planting on site subject to the landscaping reserved matter. The applicant has agreed to make a tree mitigation contribution up to £23,100 (£700 x 33 units). This would be secured through a legal agreement.
- 5.52 There is also a requirement for open space mitigation as the site would not provide open space for future residents. Policies IN1 and ENV5 apply to open space. As no open space provision is to be made on site, the impacts off-site need to be considered on a site by site basis. The proposal would trigger contributions of £11,575 towards open space mitigation comprising:
- £5,950 (or 35sqm on site) children's/youth play Baker Close playground and the youth play space located within Southgate Park.
  - £3,375 (or 225sqm on site) for Amenity Green Space subject to discussions with Community Services.
  - £2,250 (or 75sqm on site) for allotments which could be directed towards enhancing provision at Malthouse Road allotment site.
- 5.53 The applicant has agreed to make this contribution which would be secured through a legal agreement.
- 5.54 Policy IN1 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will seek to implement a Community Infrastructure Levy (CIL). The Crawley CIL Charging Schedule has been in effect since 17th August 2016 and is relevant to this application since the proposal is creating new residential units. Should planning permission be granted, an informative can be attached to the decision notice to inform that this development

constitutes Community Infrastructure Levy 'CIL' liable development which is a mandatory financial charge on development.

## **CONCLUSIONS:-**

- 6.1 The application is a re-submission following the previously refused application CR/2019/0324/OUT, which related to a similar development. That application was refused and dismissed at appeal on the grounds that it would not make appropriate provision for affordable housing, tree planting and open space.
- 6.2 The principle of residential development is acceptable and the proposal would provide a net increase of 18no. flats in a sustainable location that would help to meet Crawley's general housing need. The overall positioning of the building within the site is considered to be acceptable, and the front elevation of the building could relate well to the existing streetscene of Brighton Road.
- 6.3 Regarding the impact on nearby residential properties, it is considered that the proposed positioning of the building within the site would be acceptable to prevent harm to occupiers, with sufficient gaps between Godolphin Court and Alexander Court being retained. The separation distance between the rear elevation of the building and the western side elevation of No. 26 Stonefield Close is also considered to be satisfactory to prevent harm to the occupiers of this bungalow.
- 6.4 The proposed accesses to the site are considered to be acceptable and no highway safety or capacity concerns were raised by WSCC when considering the previous application. The provision of 20no. car parking spaces, the layout of proposed parking areas, and 38no. cycle parking spaces are considered to be acceptable and would meet the minimum requirements of Policy IN4 and the Crawley Borough Parking Standards contained within the Urban Design SPD. The proposal would also have sufficient refuse and recycling storage to meet its operational requirements.
- 6.5 The provision of 10no. replacement/additional trees on site and a financial contribution of up to £23,100 towards further off-site planting is considered to be acceptable and in accordance with Policy CH6. Likewise the open-space contribution of £11,575 was also considered to be acceptable and in accordance with Policy ENV5.
- 6.6 As a result of the dismissed appeal for the previously refused application, the applicant now proposes two ground floor flats to be shared ownership. This addresses the previous reason for refusal on affordable housing grounds, is in line with paragraph 64 of the NPPF and secures on-site provision. Whilst it is unfortunate that the scheme cannot deliver 40% affordable housing, this has been justified in viability terms under the previous refused planning application. There has been no change in economic conditions since to suggest that the scheme has become significantly more viable. The proposal would make a small contribution towards addressing Crawley's affordable housing needs and has addressed the previous reason for refusal and appeal dismissal. Subject to a S106 agreement, the applicant has satisfactorily addressed the previous reasons for refusal.
- 6.7 It is therefore recommended that the scheme is granted planning permission subject to the conclusion of a Section 106 Agreement to secure:
- Provision of on-site 2 x shared ownership units;
  - A formula to enable financial contribution to be made in lieu of the anticipated shortfall of tree planting on site up to £23,100; and
  - Open space (£11,575) infrastructure contributions.

## **RECOMMENDATION RE: CR/2020/0588/OUT**

**PERMIT** - Subject to the conclusion of a Section 106 agreement to secure two Shared Ownership Units and the financial contributions of up to £23,100 for tree mitigation and £11,575 for open space, and subject to the following conditions:-

1. i) Details of appearance, landscaping 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 3 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 above ground development shall take place unless and until a schedule and samples of materials and finishes to be used for all external walls, balconies, glazing and roofs of the proposed building and external hard landscaping have been submitted to and approved by the Local Planning Authority. The development shall be implemented in strict 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 buildings of visual quality in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.

5. No development shall take place until detailed plans and particulars of the land levels, the finished floor levels of the building hereby approved and the relationship to the heights of adjoining buildings have been submitted to and approved in writing by the Local Planning Authority. The building shall be constructed in strict accordance with the approved levels details.

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

6. No cables, wires, aerials, pipe work, meter boxes, alarm boxes, lighting, satellite dishes, flues, vents or other external fixtures other than those shown on the approved drawings shall be affixed to the exterior walls of the development hereby approved unless precise details have been submitted to and approved in writing by the Local Planning Authority. The fittings shall thereafter be retained in accordance with the agreed details.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.

7. No part of the development shall be first occupied until such time as the vehicular accesses serving the development have been constructed in accordance with the details shown on the drawing titled Proposed site plan showing ground floor layout and numbered 0268-P021 Rev A. The existing vehicular access onto Stonefield Close shall be permanently closed and the pavement reinstated before the new access from Stonefield Close is brought into use.

REASON: In the interests of road safety and the amenities of the area and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

8. No part of the development shall be first occupied until pedestrian visibility splays have been provided either side of the site's vehicular accesses onto Stonefield Close and Brighton Road in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. These visibility splays shall thereafter be kept free of all obstructions over a height of 0.6 metre above adjoining carriageway level or as otherwise agreed.

REASON: In the interests of road safety and the amenities of the area and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

9. No part of the development shall be first occupied until the vehicle parking and turning spaces shown on the approved plans have been fully constructed and made available for use by residents. These spaces shall thereafter be retained for their designated use.

REASON: To ensure that adequate and satisfactory on-site car parking and turning space is made for the accommodation of vehicles clear of the highways in accordance with Policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design SPD.

10. No part of the development shall be occupied unless and until covered and secure cycle parking spaces have been provided in accordance with details that have first been submitted to and approved by the Local Planning Authority. The cycle spaces shall be made available for use by residents and shall be maintained as such thereafter.

REASON: To encourage sustainable travel options and to provide alternative travel options in accordance with Policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030 and the parking standards set out in the Urban Design SPD.

11. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) 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. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:

- the anticipated number, frequency and types of vehicles used during construction,
- the method of access and routing of vehicles during construction,
- the parking of vehicles by site operatives and visitors,
- the loading and unloading of plant, materials and waste,
- the storage of plant and materials used in construction of the development,
- the erection and maintenance of security hoarding,
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary traffic regulation orders),
- details of public engagement both prior to and during construction works.
- details of dust management.

REASON: In the interests of highway safety and the amenities of the area and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

12. Unless otherwise agreed in writing by the Local Planning Authority, the proposal shall provide a minimum of 5sqm of private outdoor space, where the smallest dimension is not less than 1500mm, for 1 to 2 person flats plus an extra 1sqm for each additional occupant.

REASON: To create a high quality residential environment for future residents and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.

13. Unless otherwise agreed in writing by the Local Planning Authority, the Gross Internal Area of each of the dwellings hereby permitted shall meet or exceed the Nationally Described Space Standards.

REASON: To ensure that each dwelling offers a safe, comfortable and sustainable living environment in accordance with Policy CH5 of the Crawley Borough Local Plan 2015-2030.

14. The development hereby approved shall be carried out in strict accordance with the recommendations set out in the Tree Survey report provided by Canopy Consultancy and dated April 2019 and shown on the Tree Protection Plan. No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence as shown on the Tree Protection Plan. Within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.

REASON: To ensure the retention and maintenance of trees and vegetation which are an important feature of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

16. Unless otherwise agreed in writing by the Local Planning Authority, the refuse and recycling storage of the proposed development hereby approved shall include adequate lighting, doors able to be fixed in the open position during collection and bin stores at ground level with no kerbs.  
REASON: To create a high quality residential environment for future residents and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.
17. The Bird Hazard Management Plan dated 9 November 2020 and referenced CR/2020/0588/OUT, LGW3867 shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: It is necessary to manage the roofs in order to mitigate bird hazard and avoid endangering the safe movements of aircraft and the operation of Gatwick Airport through the attractiveness of birds in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
18. No building or structure forming part of the development hereby permitted shall exceed 104.35m AOD.  
REASON: As development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Gatwick Airport and endanger aircraft movements and the safe operation of the aerodrome and to accord with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
19. No development shall commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. Should the developer intends to connect surface water to a public sewer, a letter or email from the owners of the asset confirming they have the capacity and are willing to take the new flow from the development would be required. The drainage designs should ensure that, in line with Defra's non-statutory technical standards for sustainable drainage systems, for a brownfield site such as this, the peak runoff rate and runoff volume should be as close as reasonably practicable to the Greenfield runoff rate/volume from the development for the same rainfall event. If this is not possible, significant betterment, at least 50% reduction in rate from the peak pre-redevelopment rate, should be achievable. The scheme shall subsequently be implemented in accordance with the approved designs.  
REASON: To reduce the risk of flooding and safeguard future occupants of the site in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
20. No development shall commence until full details of the maintenance and management of the SUDs system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.  
REASON: To reduce the risk of flooding and safeguard future occupants of the site in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
21. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.  
REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure and therefore to protect underground utility infrastructure in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.
22. Before the development hereby permitted is commenced, a scheme, incorporating appropriate monitoring, modelling and good acoustic design, shall have been submitted to and approved in writing by the Local Planning Authority to protect dwellings against noise.  
For the purposes of this condition the scheme shall include:
  - (a) the means by which the noise level within any (unoccupied) domestic living room (including kitchen/diners and open plan studio flats) or bedroom, with windows open, shall be no more than 35

dB LAeq16hr (between 0700 and 2300 - day) and no more than 30dB LAeq,8hr (between 2300 and 0700 - night); and

(b) the means by which the noise level within any (unoccupied) domestic bedroom (or studio flats), with windows open, shall not normally exceed 45 dB(A) LAfMax between 2300 and 0700.

(c) the means by which noise exposure for the balcony and amenity areas is reasonably reduced to a minimum and in no event exceed 55LAeq12hr (07:00 to 19:00) and 50 LAeq 4hr (19:00 to 23:00).

Where the standards in (a) and/or (b) 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 adequate ventilation will be provided.

For the purposes of this condition 'adequate ventilation' would include the provision of acoustically attenuated passive ventilation or mechanical ventilation which can effectively deal with spring, autumn and summer over-heating without the necessity of opening the windows.

No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling. The scheme so approved must be implemented in full and maintained for the lifetime of the building. Any amendments to the scheme or alterations to the windows or ventilation must be agreed with the Local Planning Authority in advance.

REASON: In the interests of residential amenity by contributing to reducing noise exposure for future occupants in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015 – 2030.

23. Before the development hereby permitted is commenced, a scheme, incorporating appropriate modelling and design, shall have been submitted to and approved in writing by the Local Planning Authority to protect dwellings against overheating.

For the purposes of this condition the scheme shall include

a) An overheating assessment of the final design in accordance with CIBSE TM59 procedure.

b) Details of how the scheme has incorporated the principles of the cooling hierarchy into the design:

- Minimise internal heat generation through energy efficient design;
- Reduce the amount of heat entering a building in summer through orientation, shading, albedo, fenestration, insulation and green roofs and walls;
- Design to enable passive ventilation (e.g. cross ventilation);
- Provide mechanical ventilation;
- Provide active cooling (ensuring they are the lowest carbon options)

The scheme so approved must be implemented in full and maintained for the lifetime of the building.

REASON: In the interests of residential amenity by contributing to reducing overheating for future occupants in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015 – 2030 and the National Planning Policy Framework.

24. After completion and prior to occupation of the development hereby approved, a survey involving the measurement of the effectiveness of the protection from noise scheme, shall be undertaken not less than 3 months after completion. The survey shall identify the level of compliance to the scheme. A written report of the findings, identifying the level of compliance shall be submitted to the LPA within 1 month of the survey completion. No part of the development can be occupied where compliance has not been achieved in full and has not been approved in writing by the Local Planning Authority.

REASON: In the interests of residential amenity by contributing to reducing noise exposure for future occupants in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015 – 2030.

25. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a Sustainability Statement detailing measures by which the development proposes to address the sustainability objectives concerning climate change mitigation and adaptation set out in Local Plan policies ENV6 and ENV7. The scheme shall be carried out in accordance with the approved details.

REASON: In the interests of environmental sustainability, in accordance with Policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030.

26. The residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that each unit shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption.  
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030.
27. No above ground development shall take place unless and until a scheme to provide combined television reception facilities and superfast broadband for all flats within the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.  
REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

## INFORMATIVES

1. 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](http://www.crawley.gov.uk/cil), email [development.control@crawley.gov.uk](mailto:development.control@crawley.gov.uk) or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
- Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
  - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
  - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.
2. The water efficiency standard required under condition 26 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
3. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

The permitted hours for noisy construction work in the Borough of Crawley are as follows:

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

With no noisy construction works taking place on Sundays, Bank Holidays, Public Holidays, Christmas Day, Boxing Day or New Years' Day.

The developer shall employ at all times the best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'.

Any exemptions to the above hours must be agreed with The Environmental Health Team in advance.

4. The applicant's attention is drawn to the advice provided by Thames Water in their correspondence of 30th September 2020 stating the following:

'Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line



with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. [https://developers.thameswater.co.uk/Developing-a-largesite/ Apply-and-pay-for-services/Wastewater-services](https://developers.thameswater.co.uk/Developing-a-largesite/Apply-and-pay-for-services/Wastewater-services)

Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

5. The applicant is advised to consider the incorporation into the scheme of the Secured by Design measures set out in detail in the letter from Sussex Police dated 29 September 2020.
6. The applicant is advised that in addition to obtaining planning permission that they must also obtain formal approval from the highway authority to carry out the site access works on the public highway. The granting of planning permission does not guarantee that a vehicle crossover licence shall be granted. Additional information about the licence application process can be found at the following web page:  
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/>  
Online applications can be made at the link below, alternatively please call 01243 642105.  
<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/dropped-kerbs-or-crossovers-for-driveways-licence/vehicle-crossover-dropped-kerb-construction-applicationform/>
7. The applicant is advised of the requirement to enter into early discussions with and obtain the necessary licenses from the Highway Authority to cover any temporary construction related works that will obstruct or affect the normal operation of the public highway prior to any works commencing. These temporary works may include, the placing of skips or other materials within the highway, the temporary closure of on-street parking bays, the imposition of temporary parking restrictions requiring a temporary traffic regulation order, the erection of hoarding or scaffolding within the limits of the highway, the provision of cranes over-sailing the highway.
8. The applicant is advised to contact the WSCC Traffic Regulation Order team (01243 642105) to obtain the necessary paperwork and commence the process associated with the proposed removal of

parking bays. The applicant would be responsible for meeting all costs associated with this process. The applicant should note that the outcome of this process cannot be guaranteed.

9. The applicant is advised that the erection of temporary directional signage should be agreed with the Local Traffic Engineer prior to any signage being installed. The applicant should be aware that a charge will be applied for this service.
10. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of the safe use of cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com). The crane process is explained further in Advice Note 4 'Cranes and Other Construction Issues' available at [www.aoa.org.uk/policy-campaigns/operations-safety/](http://www.aoa.org.uk/policy-campaigns/operations-safety/)
11. A formal application for connection to the water supply is required in order to service this development and can be made via Southern Water's online developer services portal at [developerservices.southernwater.co.uk](http://developerservices.southernwater.co.uk) . For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: [www.southernwater.co.uk](http://www.southernwater.co.uk) or by email at: [SouthernWaterPlanning@southernwater.co.uk](mailto:SouthernWaterPlanning@southernwater.co.uk)



# ArcGIS Web Map

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



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