

**REFERENCE NO: CR/2020/0592/FUL**

**LOCATION:** [NORTHSIDE, BALCOMBE ROAD, POUND HILL, CRAWLEY](#)  
**WARD:** Pound Hill North & Forge Wood  
**PROPOSAL:** FULL PLANNING APPLICATION FOR NEW RESIDENTIAL DWELLINGS, ERECTION OF 8 NO. OF 2 BEDROOMS AND 6 NO. OF 3 BEDROOM UNITS

**TARGET DECISION DATE:** 25 January 2021

**CASE OFFICER:** Mrs K. Palmer

**APPLICANTS NAME:** Albany Homes Southern Ltd  
**AGENTS NAME:** RDJW Architects Limited

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**PLANS & DRAWINGS CONSIDERED:**

Drawing Number	Revision	Drawing Title
5653 001 Rev	D	Location Plan
5653 002 Rev	D	Block Plan (as existing)
5653 003 Rev	E	Block Plan (as proposed)
5653 004 Rev	J	Site Plan (as proposed)
5653 005Rev	D	Proposed Roof & Floor Plans
5653 006 Rev	C	Proposed Elevations- 2 Bedroom Terrace
5653 007 Rev	D	Proposed Roof & Floor Plans- 3 Bedroom Terrace
5353 008 Rev	D	Proposed Elevations- 3 Bedroom Terrace
5653 009 Rev	C	Proposed Floor & Roof Plans- 2 Bedroom Terrace
5653 010 Rev	C	Proposed Elevations- 2 Bedroom Terrace
5653 013 Rev	C	Proposed Tree Removal Plan
5653 014 Rev	C	Proposed Hard Landscaping Plan
5653 015 Rev	C	Proposed Soft Landscaping Plan
10553-1600 Rev	P1	Drainage Layout

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

1. GAL Aerodrome Safeguarding - No objection subject to the inclusion of an informative to cranes.
2. WSCC Highways - Comments that whilst the principle of the development is acceptable, more information is required in terms of visibility splays, and up to date Stage 1 Road Safety Audit and Transport Statement to ensure the impact upon the operation of the highway would be acceptable.
3. Thames Water – Comments that with regards to waste water, there is insufficient information and having been unable to successfully contact the developer regarding the waste water infrastructure needs for the site and foul water drainage it requests a condition in relation to confirmation that either capacity exists off-site to serve the site or a phasing plan has been agreed with the LPA or that all wastewater network upgrades required to accommodate the additional flows from the development have been completed. This is required to avoid flooding and/or potential pollution incidents.
4. CBC Drainage Officer - No objection subject to condition.
5. CBC Housing Enabling & Development Manager – While an off-site affordable housing contribution has been offered – there is no detail to understand if the offer would be policy compliant.
6. CBC Planning Arboricultural Officer - Objection - The development would result in conflict with the trees both on the eastern and western boundaries, and due to the arrangement of houses and the fact that the site is not very wide, and flanked on one side by large Oak Trees and on the other by a

dense tall line of trees along Balcombe Road. There is also a lot of hard surfacing proposed which leads very little space for soft landscaping/ replacement planting etc.

7. CBC Refuse & Recycling Team – Comments - Due to the amount of information available with regards to bin provision, storage for each property and presentation of bins on collection day and an indication of where the collection vehicle will be able to access in order to make collection is not known.
8. Ecology Officer –To be reported verbally at Planning Committee
9. CBC Energy Efficiency & Sustainability – To be reported verbally at Planning committee
10. CBC Countryside & Open Space -The intended loss of trees within the site due to the proposed development, would require a total of 21 replacement trees to be provided. In addition to the replacement tree planting required for the loss of existing trees on site, this application is for 14 new dwellings. With a total of 35 trees required to be provided to meet the requirements of Policy CH6. Open Space, Sport and Recreation- Contributions of **£11,882.50** will be required as no on-site provision has been made.  
Green Infrastructure and Biodiversity- to meet Policy ENV2 a 15-meter buffer between the ancient woodland located on the other side of Balcombe Road and the proposal is to be in place in order to align with Natural England's advice.
11. Environmental Health- Air Quality – there is insufficient information on air quality to allow an assessment on the sustainability of the proposals in terms of pollution from traffic emissions. Further information in the form of an air quality assessment and an emissions mitigation assessment in order to assess the application and provide comments with respect to the air quality.  
Noise – Objection - The majority of the units and the garden areas would be in the unacceptable adverse effect level of noise. The proposed mitigation measures are also deemed to be unacceptable.
12. Crawley Cycle and Walking Forum – Request for cycle provision to be increased based on the Crawley Borough Council Urban Design SPD, which requires 2 cycle parking spaces for 2 or 3 bedroom houses. The sheds used for cycle parking should be accessible via a garden gate, without having to go through the house. The provision of a connection to the shared path to the north of the site is crucial and would make it possible for both pedestrians and cyclists to access the local cycle and pedestrian network. At the site entrances the corner radii should be kept as tight as possible, to reduce turning speeds. Ideally, the site entrances would have the path crossing on a raised table, with pedestrian and cycle priority.

## **NEIGHBOUR NOTIFICATIONS:-**

DAFFODIL CRESCENT: 31,35,37,43,57,41,53,65,67,33,49,51,39,63,47,55,59,69,45,61

## **RESPONSES RECEIVED:-**

There have been three neighbour responses received. Objections/comments are summarised below:-

- Support of the relocation of the car-wash which produces a significant amount of noise pollution.
- The development would change the immediate surroundings and woodland view
- Significant loss of outlook especially with regards to plot 7
- Loss of privacy
- Not in-keeping with the design style of the Forge Wood Development or the local area in general,
- Potential loss of light
- Concern for distress to the protected trees along the site boundary, which provide amenity benefit to houses behind.

### **1. THE APPLICATION SITE:-**

- 1.1 The site lies to the immediate north of the semi-detached property Northside and comprises a parcel (0.49ha) of land. The site is partially undeveloped land in the north whilst the southern end of the site has florist and car-wash uses operating and an extensive area laid to hardstanding. Directly to the west of the site is Balcombe Road and to the east are the rear gardens of dwellings within the neighbouring Forge Wood development. It is a long roughly rectangular, relatively narrow piece of land some 150m in length. It is 34m wide at the southern boundary, tapering to 28m wide at the northern boundary.

- 1.2 To the north of the site is a Public Footpath which runs from Balcombe Road east towards the M23. On the opposite side of Balcombe Road are trees and landscaping. To the south of the application site is the dwelling house Northside currently linked to the florists that forms a part of the application site. Overall the site is about 1m lower than the land to the east currently being built out as the Forge Wood neighbourhood.
- 1.3 The site is relatively flat, although the trees along the east boundary are on elevated land relative to the application site. The central portion of the site is at a relatively lower level than its western and eastern boundaries. There is a large un-landscaped bund near to the middle of the site, and at the southern end of the site is the car-wash area includes two single storey buildings and a large area of hardstanding used for access/parking and the only current entrance into the site itself.
- 1.4 The site, whilst within the built up area, has a rural character, with trees along its Balcombe Road frontage and other boundaries. Its relatively undeveloped state it is complementary to the existing form and pattern of the development along Balcombe Road that comprises of a low density of buildings, the sporadic siting of dwellings and other commercial development, with extensive frontage vegetation. There are also substantial areas of trees and woodland in the vicinity, including ancient woodland (Titchmeres Wood) to the south west.
- 1.5 A Tree Preservation Order no. 16.16.4 (Wiltshire's Farm Shop, Balcombe Road, No.1) applies to the site and covers 20 individual specimens (13 oak, 5 ash and 2 Norway maple) and a group of understorey trees comprising hawthorn, yew, hazel and elder along the western boundary.
- 1.6 In summer 2014 the unauthorised felling of 6 individual oak trees, removal of understorey trees and surgery to 2 oaks took place. Prosecution action has been undertaken relating to the unauthorised felling of 5 of the oak trees. The subsequently served Tree Replacement Notice requires two oak trees to be planted as close as possible to the locations of the felled trees. It has not yet been complied with but the trees are to be planted along the eastern boundary within the site. There is screening from the trees and understorey along the road frontage and some screening from the remaining oak trees on the northern and western boundaries that will be augmented by the trees required to be planted under the terms of the Tree Replacement Notice.
- 1.7 The site is within the Forge Wood neighbourhood area, although it was not included within the red line area for the outline planning permission. Phase 3A of Forge Wood Neighbourhood development lies to the immediate east of this application site, and is currently being built out and the closest houses and flats are now occupied. Phase 1 that includes the new neighbourhood centre is accessed from Steers Lane to the west on the opposite side of Balcombe Road. The Forge Wood development is being erected behind the retained trees and landscaped frontages set back significantly from the main road frontages on Balcombe Road and Steers Lane. Highway works to the north-west at the junction of Balcombe Road and Steers Lane have been implemented as a part of the Forge Wood Neighbourhood development.

## **2. THE PROPOSED DEVELOPMENT:-**

- 2.1 The application is for planning permission for the erection of 8 x two storey 2 bedroom houses and 6 x two storey 3 bedroom houses in four short terraces facing north and south. The houses would be of 2 different house types, for either the smaller or larger units of similar more modern designs. The walls would be differing shades of sand brick with grey brick detailing to the windows, doors and reveals, and the roofs would be tiled.
- 2.2 Two terraces would have 3 x three bedroom houses for, one terrace would have 3 x two bed houses and one terrace would have 5 x two bedroom houses. All four of the short terraces would have hipped roof ends with ridges of the same height. Rear gardens to the houses would either be north or south facing. Each house would be provided with a front garden and beyond this two parking spaces.
- 2.3 At the closest point the houses would be less than 2 metres from the highway boundary with Balcombe Road. The houses would be the same distance or closer to the protected trees along this boundary. Two new accesses are proposed onto Balcombe Road in addition to the retention of the existing car-wash/florist access. A pedestrian footpath is proposed, predominantly within the site behind the protected trees along the Balcombe Road frontage, although at the southern end of the

site the footpath would be on highway land adjacent to the carriageway to the west of the retained protected trees.

- 2.4 Plots 1, 4, 7 and 12 would have the east boundaries of their rear gardens adjacent to the rear gardens of the houses recently erected as a part of the Forge Wood and the row of protected trees. Plots 3, 6, 11 and 14 would have their rear gardens between 5m and less than 2m from the western of the boundary of the site with Balcombe Road and the western belt of protected trees. Between the buildings and the Balcombe Road an approximate distance of 2 metres would be retained to accommodate the belt of vegetation and trees.
- 2.5 Two areas of hardstanding are shown adjacent to the Balcombe Road, within the tree protection belt for refuse collection points. It is noted that no turning point is proposed for service/larger vehicles.
- 2.6 The plans indicate that the northern part of the site would incorporate a further development shown indicatively with parking to the north, adjacent to the protected trees to the east, west and north. This does not form a part of this planning application but is subject to a separate application under consideration reference CR/2020/0754/OUT.

### **3. PLANNING HISTORY:-**

There are a number of relevant applications relating to parts of the site.

- 3.1 CR/2014/0671/OUT- OUTLINE APPLICATION, WITH ALL MATTERS RESERVED, FOR ERECTION OF 12 DWELLINGS (7 HOUSES AND 5 FLATS)- was refused on 06/01/2015
- 3.2 A further planning application ref: CR/2016/0398/FUL- ERECTION OF 5 X DETACHED DWELLINGS AND 4 X SEMI-DETACHED DWELLINGS TOGETHER WITH LANDSCAPING AND ASSOCIATED ACCESS, was withdrawn prior to determination.
- 3.3 In 2017 planning application ref. CR/2017/0226/FUL - ERECTION OF 2 X DETACHED DWELLINGS AND 6 X SEMI DETACHED DWELLINGS TOGETHER WITH LANDSCAPING AND ASSOCIATED ACCESS, was refused on 30/06/2017 on the following grounds:
  1. *The proposed development by virtue of its prominent siting, layout, size, and built form would be incongruous with the existing street-scene and planned comprehensively planned development of Forge Wood with its associated Design Statement and including the Steers Lane / Balcombe Road character area. The development would be harmful to in the rural street scene of Balcombe Road and result in a form of development that would be visually intrusive, unsympathetic and harmful to the existing pattern and nature and planned character of development in this locality. The proposal is thus contrary to the NPPF and policies GD4, H1, H2 and CH1 and CH3 of the Crawley Borough Local Plan 2015- 2030.*
  2. *The development by virtue of its cramped layout, siting, urban form, and extensive hardstanding, would result in a loss of structural landscaping and cannot provide acceptable mitigation, to the detriment of the street scene and the character of the area contrary to policies CH6 and CH7 of the Crawley Borough Local Plan 2015-2030.*
  3. *The layout of the proposed development in particular plots 2, 4, 5 and 6 would result in houses located within close proximity to protected trees resulting in properties that would be adversely affected by loss of sunlight, daylight and outlook to the rear windows and gardens, leaving little useable amenity area. The development cannot therefore provide a satisfactory environment for future occupiers. The proposal is thus contrary to the NPPF, policy CH5 of the Crawley Borough Local Plan 2015 - 2030 and the advice in Urban Design SPD (for Private Outdoor Space).*
  4. *The relationship of the proposed houses to the retained and the proposed replacement trees on site and trees on neighbouring land would result in an unsatisfactory relationship for future occupiers resulting in ongoing pressure to reduce and remove the trees to the detriment of the character of the area. The proposal is thus contrary to policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030.*

5. *An agreement is not in place to ensure that the appropriate Green infrastructure provisions can be secured to support the development and the development is therefore contrary to policies CH6 and IN1 of the Crawley Borough Local Plan 2015-2030 and Supplementary Planning Guidance Documents 'Planning Obligations and S106 Agreements' and 'Green Infrastructure'*

3.4 Later in 2017 planning application ref. CR/2017/0864/FUL - ERECTION OF SIX DETACHED DWELLINGS TOGETHER WITH ASSOCIATED ACCESSES, PARKING, LANDSCAPING AND SERVICING, was refused on 09/09/2019 on the following grounds:

1. *The proposed development by virtue of its prominent siting, layout, size, and built form would be incongruous with the existing street-scene and comprehensively planned development of Forge Wood with its associated Design Statement. The development would be harmful to the wooded rural street scene of Balcombe Road and result in a form of development that would be visually intrusive, unsympathetic and harmful to the existing pattern and nature and planned character of development in this locality. The proposal is thus contrary to the NPPF and policies GD1, H1, H2 and CH1 and CH3 of the Crawley Borough Local Plan 2015- 2030.*
2. *The development by virtue of its cramped layout, siting, urban form, and extensive hardstanding, would result in a loss of structural landscaping and cannot provide acceptable mitigation, to the detriment of the street scene and the character of the area contrary to policies CH6 and CH7 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure and Urban Design SPDs.*
3. *The layout of the proposed development in particular plots 1, 2, and 3 would result in houses located within close proximity to protected trees resulting in properties that would be adversely affected by loss of sunlight, daylight and outlook to the rear windows and gardens, leaving little useable amenity area. The development cannot therefore provide a satisfactory environment for future occupiers. The proposal is thus contrary to the NPPF, policy CH5 of the Crawley Borough Local Plan 2015 - 2030 and the advice in Urban Design SPD (for Private Outdoor Space).*
4. *The relationship of the proposed houses to the retained and the proposed replacement trees on site and trees on neighbouring land would result in damage and harm to the amenity of the trees and an unsatisfactory relationship for future occupiers resulting in ongoing pressure to reduce and remove the trees to the detriment of the character of the area. The proposal is thus contrary to policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030 and the Green Infrastructure SPD.*
5. *The development would result in an unacceptable noise environment for future occupiers that cannot be adequately mitigated, harming their quality of life/health contrary to policies CH3, H1 and ENV11, and the Crawley Local Plan Noise Annex of the Crawley Borough Local Plan 2015 – 2030.*
6. *An agreement is not in place to ensure that the appropriate Green infrastructure provisions and Affordable Housing can be secured to support the development and the development is therefore contrary to policies H4, CH6 and IN1 of the Crawley Borough Local Plan 2015-2030 and 'Green Infrastructure' and Affordable Housing SPD.*

3.5 In respect of Forge Wood, the neighbourhood scale development in the wider area, revised outline permission was granted under CR/015/0552/NCC for the erection of up to 1900 dwellings, 5000sq.m of use class B1, B2 & B8 employment floorspace, 2500sq.m. of retail floorspace, a local centre/community centre (including a community hall), a new primary school, recreational open space, landscaping, the relocation of the 132kv ohv power line adjacent to the M23, infrastructure and means of access. This included a masterplan for wider area that included the type of development/constraints that would apply to Balcombe Road, even though parts of this area were outside the application site. Reserved matters applications for different phases of the neighbourhood have been submitted, and some have built out, and are being/are occupied. This includes the development to the east of this site currently under construction as part of Phase 3A. Ref CR/2016/0780/ARM.

#### 4. **PLANNING POLICY:-**

#### 4.1 The National Planning Policy Framework (revised February 2019):

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 our enhancing our natural, built and historic environment...”

**Section 5** emphasises the need for the planning system to deliver a sufficient supply of homes including affordable housing.

**Section 8** seeks to ensure planning policies and decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible.

**Section 9** set 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.

**Section 11** - ‘Making effective use of land’ states in para 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*”. Para 122 supports the efficient use of land taking into account

- “a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;*
- b) local market conditions and viability;*
- c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;*
- d) the desirability of maintaining an area’s prevailing character and setting (including residential gardens), or of promoting regeneration and change; and*
- e) the importance of securing well-designed, attractive and healthy places.”*

**Section 12** - ‘Well designed places’ states that good design is a key aspect of sustainable development and that the planning process should achieve the creation of high quality buildings and places. Para 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’ - includes advice on ground conditions and pollution (including noise impacts) and seeks to 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.

## 4.2 Crawley 2030: The Crawley Borough Local Plan 2015-2030

The following policies are relevant:

Policy SD1 (Presumption in favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.

Policy CH1 (Neighbourhood Principles) States that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern land uses and arrangement of open spaces and landscape features.

Policy CH2 (Principles of Good Urban Design) sets out the principles for good urban design and states:

*To assist in the creation, retention or enhancement of successful places in Crawley, development proposals will be required to:*

- a) respond to and reinforce locally distinctive patterns of development and landscape character and 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, putting people before traffic and integrating land uses and transport networks;*
- 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; and*
- g) provide diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.*

*Applications must include information that demonstrates that these principles would be achieved, or not compromised, through the proposed development.*

Policy CH3 (Normal Requirements of All New Development) sets out the normal requirements of all development and requires proposals to be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context, be of high quality in terms of landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. In addition, proposals must provide a good standard of amenity for future residents in compliance with internal space standards and not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance or overshadowing, traffic generation and general activity. The policy requires the retention of existing individual or groups of trees that contribute positively to the area and seeks to ensure sufficient space for trees to reach maturity particularly when located in private gardens to ensure dwellings receive adequate daylight. Development should also meet its operational needs in respect of parking, access, refuse storage etc. The policy also requires the development to incorporate 'Secure by Design principles' to reduce crime, consider community safety measures and demonstrate design quality through 'Building for life' criteria.

Policy CH4 (Comprehensive Development and Efficient Use of Land) – Development must use land efficiently and not unduly restrict the development potential of adjoining land nor prejudice proper planning and phasing of development over a wider area.

Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents. New dwellings should, as a minimum, meet the nationally described space standards in accordance with Building Regulations Part M Category 2 – accessible and adaptable dwellings.

Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new

tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.

Policy CH7 (Structural Landscaping) requires that development proposals should protect and/or enhance structural landscaping. This includes the western side of this site along Balcombe Road.

Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.

Policy H2 (Key Housing Sites) this policy demonstrates how the Local Plan makes provision for the delivery of a minimum of 5100 net additional dwellings in the borough between 2015 and 2030. It identifies Forge Wood as a key deliverable housing site for up to 1,900 dwellings with the period to 2020.

Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.

Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. In addition to the provision of 40% affordable housing, approximately 10% low cost housing will be sought on developments proposing 15 dwellings or more, offering up to 10% discount to first- time buyers.

Policy IN1 (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.

Policy IN2 requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.

Policy IN3 (Development and Requirements for Sustainable Transport): Advises that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.

Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle standards.

Policy ENV1 (Green Infrastructure): advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through the following measures. i. development which protects and enhances Green Infrastructure, ii. Development proposals should take a positive approach to designing green infrastructure. iii. Proposals which reduce, block or harm the functions of green infrastructure will be required to be adequately justified.

Policy ENV2 requires all proposals to encourage biodiversity where appropriate and to refuse proposals where there would be significant harm to protected habitats or species unless harm can be appropriately mitigated.

Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.

Policy ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which area exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.

Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.

Policy ENV11 (Development and Noise) Advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.

#### 4.3 Emerging Crawley Borough Local Plan 2020 – 2035 (Regulation 19 Draft)

The Local Plan Review 2020-2035 was subject to consultation early in 2020 and therefore limited weight should be given to the following applicable policies:

- Policy SD1: Presumption in Favour of Sustainable Development.
- Policy SD2: Enabling Healthy Lifestyles and Wellbeing
- Policy CL1: Neighbourhood Principle.
- Policy CL2: Making Successful Places: Principles of Good Urban Design.
- Policy CL3: Local Character and Design of New Development.
- Policy CL6: Structural Landscaping
- Policy DD1: Normal Requirements of All New Development.
- Policy DD2: Inclusive Design
- Policy DD3: Standards for All New Dwellings (including conversion).
- Policy DD4: Tree and Landscape Character Planting.
- Policy DD5: Tree Replacement Standards.
- Policy OS2: Provision of Open Space and Recreational Facilities.
- Policy IN1: Infrastructure Provision
- Policy IN3 Supporting High Quality Communications.
- Policy H1: Housing Provision
- Policy H3: Housing Typologies
- Policy H3b: Densification, Infill Opportunities and Small Sites
- Policy H3f: Open Spaces
- Policy H4: Future Housing Mix
- Policy H5: Affordable Housing
- Policy GI1: Green Infrastructure
- Policy GI2: Biodiversity and Net Gain
- Policy SDC1: Sustainable Design and Construction
- Policy SDC3: Tackling Water Stress
- Policy EP4: Development and Noise.
- Policy ST1: Development and Requirements for Sustainable Transport.
- Policy ST2: Car and Cycle Parking Standards.

#### 4.4 Supplementary Planning Guidance and Documents

##### *Urban Design Guide (adopted October 2016)*

Para 2.12 Developments should follow existing published guidance, such as Building for Life 12 and Secured by Design and consider the guidance provided in documents such as Manual for Streets. The following provide best practice guidance relating to Urban Design:

Part 2- Good Urban Design.

Part 3 - Section on Residential Development- This includes residential space standards.

Annex 1 Crawley Borough Parking Standards.

##### *Affordable Housing SPD and Summary Guidance Document for Small residential Development (adopted November 2017)*

It expands upon policy H4 of the Local Plan and guides developers on the contributions to be sought towards affordable housing from smaller developments.

##### *Green Infrastructure SPD (adopted October 2016)*

Includes guidance on designing for trees, open space, biodiversity. It also includes further details on Crawley's Green Infrastructure Network including areas with Structural Landscaping.

##### *Planning and Climate Change SPD (adopted October 2016)*

Sets out advice on making developments sustainable.

## 5. PLANNING CONSIDERATIONS:-

The main considerations in the determination of this application are:

- Principle of the development
- The visual impact of the proposed dwellings on the character of the area and the street scene.
- The adequacy of the proposed dwelling for future occupants including noise
- The impact on the amenities of the occupiers of neighbouring properties
- Trees and structural landscaping
- Highway safety, access and parking
- Infrastructure contributions
- Flooding and Drainage

### Principle of the development

5.1 The site lies within the built up area and the wider area allocated for the Forge Wood Neighbourhood (Crawley Borough Local Plan 2015-2030) and so in general terms, development for residential purposes is acceptable in principle. The current proposals would now involve the loss of the car-wash and florist businesses. Whilst due to the site's land designation there is no policy objection to the loss of these business, it is noted that they make a positive contribution to the local economy of this area.

### The visual impact of the proposed dwellings on the character of the area and the street scene.

5.2 The existing site is partly undeveloped and partly incorporates a car-wash business and florist shop. There are also protected trees along its east, west and north boundaries. It has a treed frontage with under storey along Balcombe Road between the florists' shop/car wash operation in the south of the site, and an east-west running public footpath to the north. The southern end of the site is more open with views into the site from the road, although other than the hardstanding and the two small businesses, the site is undeveloped and has an open aspect, indicative of its former more rural context and character. It is defined within the Local Plan as an area of Structural Landscaping and policy CH7 therefore also specifically applies in addition to the CH1 Neighbourhood Principle, CH2 Principles of Good Urban Design and Policy CH3 Normal Requirements of All Development. Further guidance in regard to the application of these policies is set out in the Green Infrastructure and Urban Design SPD's.

5.3 Balcombe Road is rural in character with individually designed houses and smaller scale commercial developments, interspersed by trees, woodland, hedges and undeveloped land. Development is sporadically located along the road. The road has extensive woodland along both sides and the site itself forms part of a wider sylvan setting with trees overhanging the highway and providing significant cumulative amenity to the street scene. Most of the housing pre-dates the new town and is a mix of differing ages, designs and layouts. Development along the road is sporadically sited with limited numbers of access points. The more recent development which forms part of the Forge Wood neighbourhood permitted under ref. CR/2015/0552/NCC has been specifically designed to be set back from the road with a very limited number of major landscaped access points and retains the rural character of Balcombe Road. The Forge Wood Masterplan sets out the design guidance for the development of the new neighbourhood and in particular requires development along the Steers Lane and Balcombe Road frontages to respond to its wooded, low density character, with housing being predominantly detached with landscaped frontages. The existing character of the site and surroundings still retains these characteristics as set out in the Forge Wood Masterplan.

5.4 The development proposes 14 smaller dwellings set within four terraces facing each-other within the site, with their western flank elevations facing the Balcombe Road. The furthest terrace block from the road would be most the northerly, which would be located 3 metres from the western boundary (plot 3) with Balcombe Road. The most southerly terrace block would, at its closest point be located between 1-2m from the boundary with Balcombe Road, with no vegetation to screen its relatively blank expanse of wall, that would incorporate just one high-level window. The rural character of the site and the positive contribution that this site makes to the woodland setting present along the extent of Balcombe Road and within the wider area, which has retained its sylvan setting, despite being significantly developed in many places behind the main arterial routes, would be lost

- 5.5 The area of structural landscaping would be significantly diminished, (effectively lost by the development) resulting in a harmful higher density urbanised residential area, with a harmful impact upon the visual amenities to the street scene.
- 5.6 All of the flank elevations of the western ends of the terraces would be close to the western boundary of the site. The houses would also be particularly conspicuous due their form, close relationship to the road and the removal of structural landscaping across the frontage to accommodate the new access points. The close relationship of the houses to the frontage planting and the position of the new footpath and hard standing for two refuse areas adjacent to the Balcombe Road highway boundary combined with the narrow shape of the site would result in the built form being located close to the road in order to achieve the number of dwellings in the form proposed. This would leave only a very narrow strip of land (if possible at all), available for vegetation to be retained/planted to the front as is indicated on the plans. It is considered therefore that as at some points the vegetation belt there would be only 1m-2m between the footpath and the edge of the highway, whether there would be adequate space along the frontage for the planting retention of any meaningful landscaping. The houses would therefore by virtue of their close siting to the road frontage, and the amount of hardstanding required result in the loss of further structural landscaping along the frontage, and on-going pressure for its removal/reduction and the lack of space for reinforcement planting to mature. It is therefore considered that the development would have a significant adverse impact upon the structural landscaping of this part of Balcombe Road.
- 5.7 The houses proposed would all be of a very similar design, with slight variations in size and colour/materials. They are considered to be of a uniform design and very similar character, with a very urban high density terraced form and layout unlike the more varied character of other sporadic and early New Town developments along the Balcombe Road. The number of dwellings on the site and the need to meet car-parking provision requirements results in a requirement for two extensive areas of hardstanding measuring approximately 320 square metres in area. In addition the number of houses, their relative uniformity in terms of overall design, extensive hardstanding/parking areas, the need for boundary treatments to provide privacy to private amenity areas and their close relationship to the boundary with Balcombe Road would be an incongruous and harmful feature amongst the spaciouly separated, mixed/eclectic low density character of development along the Balcombe Road.
- 5.8 The scheme would be of a similar density the Forge Wood erected to the east and would have a very urban character. Whilst this site is adjacent to this new residential development, the site has its frontage onto Balcombe Road, which has a very different rural wooded character. Balcombe Road and the surrounding main roads in this area are generally characterised by individually designed detached dwellings located on large spacious plots with larger front gardens, sitting deep within their plots away from the street and interspersed by trees, woodland, hedges and fields/undeveloped land. Most of the housing pre-dates the new town and is an interesting mix of differing styles and designs. This development would be out of keeping with and alien to the established rural, semi-woodland character of development in the immediate area (Balcombe Road, Steers Lane, Radford Road) and would not reflect or respect the existing density of development, harmful to visual amenity, and the rural low density character of Balcombe Road.
- 5.9 In terms of design detailing the buildings are shown with their flank elevations facing the road and so would not address the street or be reflective of the layout/character of existing residential dwellings along this part of Balcombe Road which typically front onto the road. With very little detailing proposed in the flank walls, they would also create an unattractive feature when viewed from the road. Plot 1, and one of the parking spaces are located under tree canopies and root protection areas. Plot 14 is one metre from the site boundary forcing the footpath off of the site boundary. The close relationship to trees and boundaries is illustrative of the cramped nature of the development, in this context and that the development would therefore be relatively cramped and overdeveloped in order to accommodate the number/type of terraced houses being proposed.
- 5.10 The proposal includes houses with a modern, minimalist style and the proposed architectural style with the long expanses of roof, very limited detailing, set-backs or features, would create a very urban and uninspired development that does not take into account site's context and character of development along Balcombe Road.

- 5.11 In terms of relevant nearby planning history, two proposals for development at Rosehip Cottage (opposite the site), were both dismissed by the planning inspectorate under references CR/2013/0047/FUL (APP/3820/A/13/2199317) and CR/2012/0481/FUL (APP/Q3820/A/13/2191451). The applications were for 5 and 4 detached houses respectively in the side and rear garden of this dwelling. It would have resulted in development being relatively close to the rear boundary with Steers Lane and Balcombe Road. One of the primary reasons for refusal which is relevant to this application related to the impact of the proposed developments not reflecting the existing density of development and character of the surrounding area and the impact upon the street scene of Balcombe Road and this was identified as being important by the Inspectors in all three decisions.
- 5.12 The importance of the character of Balcombe Road was also identified by the Inspector in the appeal against the non-determination of the outline application at Land at Steers Lane ref. CR/2018/0894/OUT (APP/Q3820/W/19/3236721) who highlighted that this development would respect its sylvan character and also considered more widely the overall layout and character of the development in regard to its setting.
- 5.13 It is considered that the development would be overly prominent when viewed from Balcombe Road and the current layout, design and massing of development with its hardstanding areas, boundary treatments and manicured gardens would result in urbanising impact that would be harmful to the character and appearance of the existing wooded street-scene, the rural character of the immediate surroundings and the structural landscaping of Balcombe Road. It would therefore be contrary with the requirements of policies GD1, CH1, CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015, the Urban Design and Green Infrastructure SPDs in this regard.

#### The adequacy of the proposed dwelling for future occupants including noise

- 5.14 The Nationally Described Space Standards are incorporated into Local Plan policy CH5. The standards set out that the minimum size of accommodation which new proposed dwellings are required to meet.
- 5.15 Eight of the houses would be 2 storey, with two bedrooms. The dwellings are identified to be 3 person dwellings due to the fact that the smaller bedroom falls within the single person criteria (between 7.5sqm and 11.5sqm). The internal floor areas of these proposed houses would be 70.5sqm. The standards require two bedroom 3 person two storey dwellings to have a minimum floor area of 70sqm.
- 5.16 Six of the houses would have two stories and 3 bedrooms. The internal floor areas of these houses would be 97sqm. The houses would be 4 person dwellings as the smaller bedrooms both fall within the single person criteria (between 7.5sqm and 11.5sqm). The standards require a three bedroom 3 person two storey dwelling to have a minimum floor area of 84sqm.
- 5.17 The floor-space for all the houses would accord with the requirements set out in Policy CH5 and it is considered that the provision of internal space is adequate. All of the units would be provided with an acceptable amount of privacy. The habitable rooms would be provided with adequate access to ventilation although the outlook and light from some windows would be adversely affected by the close relationship to retained planting and would be subject to overshadowing. The difference in levels from the development of Forge Wood Phase 3A to the east would also result in the application dwellings more likely to receive some overlooking from residents of this development.
- 5.18 The Urban Design SPD also sets standards for Private Outdoor Space and all the plots exceed the minimum garden space requirements in terms of the total area. However, there is some concern that the rear garden of Plot 1 by virtue of its predominantly north-south orientation, close relationship to trees on the eastern boundary and its north facing garden (its private amenity area), would experience a significant degree of overshadowing. Paragraph 3.54 of the Urban Design SPD requires gardens to have regard to daylight, sunlight and the overall usability due to overshadowing from trees. Due to the requirement to retain and replace trees on the site, there would be significant tree coverage along the east and western boundaries. Due to the close proximity of the dwellings to the vegetation therefore it is considered that there would be ongoing future pressure to reduce the retained trees, replacement protected trees and new planting along the Balcombe Road frontage to improve light and reduce overshadowing of the proposed houses and their gardens.

- 5.19 With regard to noise, the application site would experience noise from Gatwick Airport and it is also subject to significant noise pollution from the adjacent Balcombe Road. Policy ENV11 seeks to protect noise sensitive development such as residential uses from unacceptable noise impacts. With regards to the design and layout the development has been designed to reduce the impacts of noise by having no windows to habitable rooms facing onto Balcombe Road. Notwithstanding this some of the properties are within close proximity to the road (the closest Plot No.14 being less than 2 metres from the road).
- 5.20 A noise survey has been undertaken and was submitted with the application as required by the Local List. A noise survey previously submitted with application ref. CR/2017/0864/FUL identified that noise from the recently altered Balcombe Road is a significant issue that would harm future residents living conditions and their health. This current noise survey sent with this application concluded that the development would be policy compliant and that noise levels would be acceptable. The Council's Environmental Health Department has objected to the proposals, questioning the credibility of the data collected, due to the location and time of recordings. The modelled noise levels for the houses from that location clearly demonstrate that the majority of the units and the garden areas would be in the unacceptable adverse effect level as stated in Local Plan policy ENV11. Only the dwellings at the eastern end of the terraces appear below that level as they are partially protected by the other dwellings closer to the road. Policy ENV11 is very clear stating that permission should not be granted when in the Unacceptable Adverse Effect Level because of the negative impacts of noise on health. The reports justification for exceeding noise levels are also deemed to be unfounded and it has failed to recognise the negative health impacts of noise that future families would suffer due to the poor design and layout of these dwellings. The proposed mitigation measures of double glazing and extract fans are also deemed to be unacceptable. Overall it is therefore considered, that the development would experience an unacceptable level of noise from Balcombe Road and fail to meet acceptable noise levels as required by policy ENV11 and the Noise Annex of the Crawley Borough Local Plan 2015-2030.
- 5.21 Due to the close proximity Balcombe Road the proposed dwellings air quality also needs to be taken into account. The Council's Environmental Health officer has been consulted and has stated that there is insufficient information on air quality to allow an assessment on the sustainability of the proposals in terms of pollution from traffic emissions. Due to the proximity of the development to the main road, the development should be supported by evidence detailing the air quality impact on the proposed development. The primary purpose of this is to assess the suitability of the site, in air quality terms, and to establish the need for mitigation during construction and operation. There is concern that the site could result in exposure to pollution levels above the national air quality objectives and it is deemed that insufficient evidence has been provided to ensure that no harm to the health of future occupiers would occur in this regard.
- 5.22 In conclusion in relation to residential amenity for the future occupiers it is considered that the layout of the development and the relationship with trees would result in a poor environment for future residents leading to future pressure to reduce trees to improve light/reduce overshadowing to the gardens (particularly plot 1). In addition the houses would be subject to traffic noise from the adjacent Balcombe Road that it has not been demonstrated can be adequately mitigated, and it has not been proven that there would not be potentially harmful levels of air pollution exposure. It is considered that the development would result in unacceptable living conditions and harm to the health of future occupiers. The development is therefore considered to be contrary to policies CH3, CH5 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD in this regard.

#### The impact on the amenities of the occupiers of neighbouring properties

- 5.23 On the opposite side of Balcombe Road to the west, the nearest residential properties are Rosehip Cottage, Ramree and Patch in Forge Wood. As these are located 20m+ away, with the busy Balcombe Road intervening, it is not considered that the new dwellings would have an adverse effect on the amenities of the occupiers of these existing dwellings, in terms of overlooking or overbearing impact.
- 5.24 To the south, the closest dwelling is Northside, due to the rear gardens of the facing plots being 15 m long, the distance is considered significant enough to ensure that the new dwellings would not have an adverse effect on the amenities of the occupiers of this existing dwelling, although it would be

important to ensure that suitable boundary treatments with this house are implemented prior to the occupation of the development.

- 5.25 With regards to the relationship with the dwellings directly to the east of the site in Forge Wood development there would be at least 16 metres between the nearest property and the application site which located at a lower level to this development. It is therefore considered that there would be a satisfactory relationship to this development in terms of impact upon the residential amenities of its future occupants.
- 5.26 It is considered the development would have a satisfactory relationship with adjacent properties that would not have a harmful impact upon the amenities of their occupiers and it therefore accords with policy CH3 of the Crawley Borough Local Plan 2015 in this regard.

#### Trees & Structural landscaping

- 5.27 The existing trees and landscaping form a fundamental part of the locality's existing character and site is designated as forming a part of the Structural Landscaping of the town. Policy CH7 - Structural Landscaping, identifies areas of soft landscaping that make an important contribution to the town and its neighbourhoods and requires areas of structural landscaping to be retained or enhanced where appropriate, in addition to the general character policies CH2 and CH3 that would apply to this development. The site has preserved mature trees on its boundaries which have significant amenity value and there is also a requirement for replacement trees to be planted on the eastern boundary under the terms of a Tree Replacement Notice. Five protected trees were removed by a previous owner and an amended tree replacement notice (TRN) requires that 2 large trees to be re-planted as close as possible to those felled. Ref ENF.TPO/2014/0168.
- 5.28 The structural landscaping is provided by both the trees that provide a partial screen to the development of Phase 3A of Forge Wood to the east and by the trees that line the east side of Balcombe Road. The trees along Balcombe Road, (that includes this site), have significant cumulative group value. There are also trees outside the application site to the north unaffected by this development that separate the whole overall site (blue and red line areas) from the public footpath that runs to the east from Balcombe Road. These trees are all the subject of a Tree Preservation Order.
- 5.29 The applicant has submitted a tree protection plan and arboreal statement. Two sections along the frontage where the new entrances would be located would be removed, the tree protection plan indicates that the trees remaining trees are to be retained. Two mature trees are proposed to be replaced along the rear/east boundary to comply with the Tree Replacement Notice.
- 5.30 CBC's Arboricultural Officer has reviewed the application and has raised an objection in terms of conflict with the retained trees on both sides of the site due to the arrangement of the houses on this narrow site and the amount of hard surfacing proposed, which would significantly reduce space for the soft landscaping and replacement planting required on the site.
- 5.31 Due to the narrow shape of the site, large oak trees both existing and required by the TRN and the line of trees along Balcombe Road, there is also concern that the development will have a harmful impact on the health of the trees from the construction works and from the close relationship of paths/accesses/refuse areas and the dwellings themselves to retained trees. In particular the trees along the frontage of Balcombe Road would suffer damage during construction, with just 2 metres provided from the path to the boundary, it is likely that the root protection area for most of these trees would be adversely affected by the proposals. This is due to the close relationship of development to the trees. In addition due to the changes in levels on site, and between Balcombe Road and the site would result in a need to undertake some works within the root protection areas of the trees notwithstanding the applicant's assertions that this would not be necessary. This would cause harm to the retained protected trees along the Balcombe Road frontage, and this in turn would have a harmful impact on the structural landscaping situated along the east side of and adjacent to Balcombe Road.
- 5.32 There is also concern that the location of the houses and the associated hardstanding/parking areas would prejudice the ability of the replacement trees to grow into mature trees with a full canopy, and could also be future pressure to reduce tree canopies in order to give the properties natural light and reduce overshadowing. The amenity provided by the trees could therefore be compromised. The

close relationship of the houses to planting, (proposed to reinforce the retained trees along the street front), would also prevent these trees from maturing and providing long term amenity to the area.

- 5.33 It is considered that the new accesses and proposed footpath would cause damage to the adjacent trees along Balcombe Road and there would further pressure to remove/reduce trees to provide visibility splays.
- 5.34 Local Plan Policy CH6 (Tree Planting and Replacement Standards) requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. The trees lost as a result of the development must also be replaced or mitigated by planting elsewhere. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu. It is considered that the planting locations would prevent these trees from providing significant amenity due to their close relationship to the dwelling proposed.
- 5.35 It is therefore considered that the development would harm existing protected trees and would not provide sufficient space to allow for a suitable long term relationship between future occupiers and the trees to the long term detriment of the trees. The development does not have space to make provision adequately for the replacement, and new trees ones required as part of the Tree Replacement Notice and by Policy CH6. The development and would significantly harm the character of the area and damage the integrity of the structural landscaping along Balcombe Road to the detriment of the town, contrary to policies CH3, CH6, and CH7 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure SPD in this regard.

#### Highway safety, access and parking

- 5.36 The application is supported by way of a Transport Statement (TS). WSCC have reviewed this information and consider that the Stage 1 Road Safety Audit (RSA) and TRICS trip rate information data insufficient as the data related to the development proposed under reference CR/2017/0864/FUL which was for 5 houses on different site area. The applicant has not provided the updated information required to allow WSCC to assess the application.
- 5.37 With regards to parking the arrangement would allow for two parking spaces per dwelling in the form of off-road spaces located directly in front of the front gardens for the dwellings they will serve. Parking provision meets the minimum requirements of the Crawley Urban Design SPD that seeks a minimum of 2-3 car-parking spaces for 3 bedroom dwellings and a minimum of 1.5 car-parking spaces for 2 bedroom dwellings at this location.
- 5.38 With regards to access arrangements the turning areas do not appear to be sufficient within the site to allow for larger service vehicles to turn and re-join the highway in forward gear. Furthermore, the Councils Refuse Department has commented that there is insufficient information for it confirm that these arrangements would be acceptable.
- 5.39 With regards to cycle storage, shed/cycle store are proposed within the rear gardens of each dwelling, and these are all accessibly via rear garden gates. The provision of cycle parking would therefore be acceptable.
- 5.40 With regards to sustainability and accessibility it is recognised that this proposal would give rise to a more intensive use of Balcombe Road however, this proposal is not anticipated to result in a severe cumulative impact on the operation of the local highway network from the level of activity proposed. Improvements are proposed to pedestrian infrastructure, namely to provide a footway along the western side of the site. This would then provide a route for pedestrians towards the neighbourhood centre and the nearest bus stops. The proposals do not include works that would form a part of the wider Forge Wood Neighbourhood infrastructure provision that includes the works at Balcombe Road/Steers Lane, which is now a signalised junction. These changes to the junction have included pedestrian crossing facilities to cater for east to west pedestrian movements over Balcombe Road. The northernmost proposed access will be sited a short distance to the south of this signalised junction and the arrangement would not be prejudiced by the junction improvements undertaken.
- 5.41 Overall it is considered that the proposals have not demonstrated that the development would be provided with safe access, circulation and manoeuvring space necessary for the safe and proper use

of the site and to ensure the safety of users of the Highway contrary to policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.

#### Infrastructure contributions and Affordable Housing

- 5.42 This application would be liable for the Community infrastructure Levy (CIL) which came into effect on the 17<sup>th</sup> August 2016. The final CIL charge will be communicated to the applicant via the development Liability Notice.
- 5.43 The adopted Affordable Housing SPD expands upon policy H4 of the Local Plan in relation to making on-site or off-site affordable housing contributions. The proposed new dwellings would be liable to make an affordable housing contribution, and the applicants have agreed in principle to an off – site contribution. However the applicant has not indicated the level of contribution they are prepared to give so there is no detail as to whether the offer would be policy compliant. Given the concerns with the development a S106 agreement has not been provided or discussed and the development is therefore contrary to policy H4 and the supporting Affordable Housing SPD in this regard.
- 5.44 With regards to Countryside & Open Space contributions the scheme proposes to remove a number of existing trees from the site and proposes to plant four trees within the application site. It is important to note that the planning authority will not agree commuted sums where it is evident that the application proposes development at the expense of adequate space for landscaping. The intended loss of trees within the site due to the proposed development, would require a total of 21 replacement trees to be provided. It would appear from this application, that groups of trees have been counted as one tree to be lost. In addition to the replacement tree planting required for the loss of existing trees on site, this application is for 14 new dwellings. One new tree is also proposed to be provided for each new dwelling. On this basis, a further 14 trees would be required from this scheme. With a total of 35 trees required to be provided to meet the requirements of Policy CH6. The additional tree planting requirements would normally be expected to be met within the development site. Where the local planning authority agrees that this is not feasible or desirable, commuted sums will be sought in lieu on a per tree basis, taking account of constraints to planting. The approach would enable the green character and appearance of the borough to be maintained through tree planting in appropriate and available land. In this case, the total number of trees required as an off-site contribution can be reduced by four to include the four new trees to be planted with the application site. This would mean the outstanding contribution required to offset the proposed loss of the existing trees on the site and the visual impact of new residential development, in accordance with the standards set out in the adopted Local Plan policy, would be the equivalent of 31 new trees.
- 5.45 With regards to Open Space, Sport and Recreation contributions as an application for new residential dwellings, Policy ENV5 is triggered due to the increase in population which will be created by this scheme. In this location, there are known existing deficiencies in in all open space typologies. On this basis, the Open Space Study (2014) recommends that all new developments within this neighbourhood provide new open space in line with the recommended standards as part of the development proposals. Although the upcoming Steers Lane and Forge Wood proposals have conditions for open space requirements, this would meet the increase in population and demand on open space created commensurate to those schemes. Without proportionate and appropriate contribution towards open space provision, this proposed development would further add to the deficiency in the neighbourhood and therefore the pressure on nearby facilities in other neighbourhoods or in the south of Pound Hill. Ideally, open space in this location should be provided on-site. This is further supported by the Green Infrastructure SPD which confirms that for schemes of between 10 and 49 dwellings play space and amenity green space should be provided on site. However, it is acknowledged for high density schemes on sites of small plot sizes, a contribution towards off site provision may be considered appropriate in lieu of some of the on-site open space facilities. Furthermore, contributions towards off site provision for outdoor sports space, allotments, parks and recreation grounds and natural green space are considered an appropriate form of meeting the proportionate provisional requirement for this scheme. In this instance, the quantity of open space proportionate to this development is below potentially useable recreation space in most instances. Financial contributions to open space for this application would therefore be required as follows:

Type of space/facility	Likely total occupancy	Open Space Quantity (m <sup>2</sup> )	Contribution per person (£)	Occupancy x contribution
Provision for Children/Teenagers	35	24.5	£119.00	£4,165.00
Amenity Green Space	35	157.5	£67.50	£2,362.50
Allotments	35	52.5	£45.00	£1,575.00
Outdoor Sports Space	35	437.5	£21.00	£735.00
Parks & Recreation Grounds	35	455.0	£72.00	£2,520.00
Natural Green Space	35	350.0	£15.00	£525.00
<b>Total</b>				<b>£11,882.50</b>

5.46 The applicant has therefore failed to demonstrate that they can provide the required tree planting on or off site to accord with policy CH6 and the Green Infrastructure SPD and as this infrastructure requirement has not been met the development is contrary to policies CH6 and the IN1 of the Crawley Borough Local Plan 2015-2030 in this regard.

#### Flooding and drainage

5.47 The site is in an Environment Agency Zone 1 flood risk level. The risk of flooding of the development is therefore low. The Councils Drainage Officer raises no objection to the drainage strategy proposed.

5.48 Thames Water have observed that the applicant has not demonstrated that there would be acceptable sewage capacity for this development to link into and conditions are recommended.

#### Other Matters

5.49 Sustainability requirements including those relating to water use can be subject to being provided by conditions. The response of the Councils Sustainability Officer will be reported verbally at the Committee.

5.50 The requirement to provide high quality communications infrastructure to each house through ensuring access to fibre optic cable or similar as required by policy IN2 can be ensured and controlled through the use of a condition.

5.51 The comments in respect of ecology will reported at the meeting, there is ancient woodland on the eastern side of Balcombe Road opposite the site and a number of trees within the site that have potential ecological value.

### **6. CONCLUSIONS**

6.1 In conclusion, it is considered that the principle of some form of residential development on the site could be acceptable, and the provision of additional dwellings would help to a small extent meet part of the future housing demand for the Borough. Parking is also considered acceptable in terms of the impact upon the capacity of the highway and would meet the operational requirements of the site. It is also considered that there would not be significant harmful impacts on the occupiers of nearby/neighbouring dwellings.

6.2 It is however considered that the development would have an adverse impact on the character and appearance of the street scene, it would erode the Structural Landscaping for the town and harm the sylvan character of Balcombe Road.

6.3 The close relationship with surrounding trees would also result in adverse levels of overshadowing of gardens and houses causing shading and reducing useable amenity space to the detriment of future occupiers. There would be harmful levels of noise from the adjacent Balcombe Road and the development as designed would not provide an acceptable environment for future occupiers. The development would therefore would be harmful to occupiers' amenities and injurious to health.

- 6.4 Trees to be retained and the proposed new tree planting would be under future pressure for removal/reduction and would not have space to mature.
- 6.5 The development would not meet its affordable housing requirements or mitigate its impact upon open space infrastructure. It would also fail to make adequate provision for the trees required on the site, which are important to the character of the area that is defined as Structural Landscaping and these would not be mitigated elsewhere within the Borough.
- 6.6 Whilst the development would be positive in terms of providing a small number of additional dwellings, the adverse impacts on protected trees, the character of the area, the harm that would result for future residents from overshadowing and noise and that it would not mitigate its impact upon infrastructure, would outweigh this benefit. On this basis it is considered that the development is unacceptable in terms of consideration of the planning balance. The proposal is therefore considered to be contrary to the NPPF and the relevant Policies of the Crawley Borough Local Plan (2015-2030), the Urban Design, Green Infrastructure and Affordable Housing SPD's and it is recommended that the application be refused for the following reasons:

### **RECOMMENDATION RE: CR/2020/0592/FUL**

#### **REFUSE** for the following reasons:

1. The proposed development by virtue of its prominent siting, layout, size, and built form would be incongruous with the existing street-scene and comprehensively planned development of Forge Wood with its associated Design Statement. The development would be harmful to the wooded rural street scene of Balcombe Road and result in a form of development that would be visually intrusive, unsympathetic and harmful to the existing pattern and nature and planned character of development in this locality. The proposal is thus contrary to the NPPF and policies GD1, H1, H2 and CH1 and CH3 of the Crawley Borough Local Plan 2015- 2030.
2. The development by virtue of its cramped layout, siting, urban form, and extensive hardstanding, would result in a loss of structural landscaping and cannot provide acceptable mitigation, to the detriment of the street scene and the character of the area contrary to policies CH6 and CH7 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure and Urban Design SPDs.
3. The layout of the proposed development in particular plot 1 would result in houses located within close proximity to protected trees resulting in properties that would be adversely affected by loss of sunlight, daylight and outlook to the rear windows and gardens, leaving little useable amenity area. The development cannot therefore provide a satisfactory environment for future occupiers. The proposal is thus contrary to the NPPF, policy CH5 of the Crawley Borough Local Plan 2015 - 2030 and the advice in Urban Design SPD (for Private Outdoor Space).
4. The relationship of the proposed houses to the retained and the proposed replacement trees on site and trees on neighbouring land would result in damage and harm to the amenity of the trees and an unsatisfactory relationship for future occupiers resulting in ongoing pressure to reduce and remove the trees to the detriment of the character of the area. The proposal is thus contrary to policies CH3, CH6 and CH7 of the Crawley Borough Local Plan 2015 - 2030 and the Green Infrastructure SPD.
5. The development would result in an unacceptable noise environment for future occupiers that cannot be adequately mitigated, harming their quality of life/health contrary to policies CH3, H1 and ENV11, and the Crawley Local Plan Noise Annex of the Crawley Borough Local Plan 2015 - 2030
6. It has not been demonstrated that the development would be provided with safe access, circulation and manoeuvring space necessary for the safe and proper use of the site and to ensure the safety of users of the Highway contrary to policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030.
7. An agreement is not in place to ensure that the appropriate Green infrastructure provisions and Affordable Housing can be secured to support the development and the development is therefore contrary to policies H4, CH6 and IN1 of the Crawley Borough Local Plan 2015-2030 and 'Green Infrastructure' and Affordable Housing SPD.

## NPPF Statement

1. In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:
  - Informing the applicant of identified issues that are so fundamental that it has not been/would not be possible to negotiate a satisfactory way forward due to the harm that would be caused.

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



# ArcGIS Web Map

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



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