

**LOCATION:** [LAND PARCEL RUSSELL WAY \(FORMER TSB SITE\), THREE BRIDGES, CRAWLEY](#)  
**WARD:** Three Bridges  
**PROPOSAL:** ERECTION OF L SHAPED 4 STOREY BUILDING COMPRISING 59 X FLATS WITH ASSOCIATED LANDSCAPING, REFUSE AND CYCLE STORAGE, INFRASTRUCTURE WORKS AND PARKING COURT AT THE REAR (AMENDED PLANS RECEIVED)

**TARGET DECISION DATE:** 13 May 2020

**CASE OFFICER:** Ms D. Angelopoulou

**APPLICANTS NAME:** Bellway Homes Ltd (South London)  
**AGENTS NAME:** Savills

**PLANS & DRAWINGS CONSIDERED:**

Drawing Number	Revision	Drawing Title
1989 0005		Site Location Plan
1989 0009	A	Block Plan
1989 0010	U	Ground Floor Plan
1989 0011	R	First Floor Plan
1989 0012	R	Second Floor Plan
1989 0013	N	Third Floor Plan
1989 0014	H	Roofplan
1989 0200	M	North Elevation
1989 0201	G	West Elevation
1989 0202	G	South Elevation
1989 0203	H	East Elevation
1989 0210	G	West Section & Elevation
1989 0211	G	South Section & Elevation
191941 001	B	Initial Levels Plan
2878-LA-01	P2	General Arrangement Plan - Sheet 1
2878-LA-02	P2	General Arrangement Plan - Sheet 2
2878-LA-03	P2	Illustrative Landscape Masterplan
2878-LA-04	P2	General Arrangement Plan - Roof Terrace
2878-PP-01	P2	Detailed Planting Plans - Sheet 1 of 2
2878-PP-02	P2	Detailed Planting Plans - Sheet 2 of 2
2878-PP-03	P2	Planting Plan - Roof Terrace
191941-002	C	Proposed car park layout and vehicle tracking

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

- |                               |  |
|-------------------------------|--|
| 1. GAL Aerodrome Safeguarding | No objection subject to a Bird Hazard Management condition and a cranes informative. |
| 2. Network Rail               | No objection subject to informative.   |
| 3. Environment Agency         | No objection; application has a low environmental risk.                              |
| 4. WSCC Highways              | No objection subject to conditions and informative.                                  |

5. National Air Traffic Services (NATS)	No objection.
6. Thames Water	No objection subject to informative.
7. Sussex Building Control Partnership	No response received.
8. Police	No response received.
9. CBC Drainage Officer	No objection.
10. CBC Housing Enabling & Development Manager	No objection.
11. CBC Planning Arboricultural Officer	No objection.
12. UK Power Networks	No response received.
13. CBC Environment Team	No response received.
14. CBC Contaminated Land	No objection subject to condition.
15. CBC Environmental Health	No objection subject to condition.
16. Crawley Cycle & Walking Forum	No objection to the proposed number of cycle spaces and comments regarding the need of electric bike charging facilities and usability of some racks provided due to manoeuvring space constraints.
17. CBC Refuse & Recycling Team	No objection.
18. Southern Water Ltd	No objection subject to informative.
19. CBC Energy Efficiency & Sustainability	No objection subject to conditions.
20. CBC Urban Design	No objection.
21. Archaeology Officer	No archaeological concerns.
22. Ecology Advisor	No objection subject to condition.
23. WSCC Lead Local Flood Authority	No objection.
24. CBC Housing	No objection.
25. CBC Env Health (AQMA)	No objection subject to condition.
26. CBC Countryside & Open Space	Comments regarding open space and tree mitigation contribution.

### **NEIGHBOUR NOTIFICATIONS:-**

The application was advertised in the local press on 26/02/2020 and site notices were displayed along Russell Way and Burwash Road (rear of the site) on 18/03/2020.

### **RESPONSES RECEIVED:-**

One representation was received from an adjacent occupier on Burwash Road stating that the proposal is now in keeping with the area compared with the previous 11 storey proposed development, and requesting that there are sufficient parking spaces for the 59 units in order not to cause any parking issues within the surrounding area.

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

The application is major development.

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

- 1.1 The application site is a vacant brownfield site of approximately 0.3ha. It is situated on the southern side of Russell Way, which is a short cul-de-sac leading from the "Paymasters General Roundabout" (left in/left out junction) to the west. It was formerly occupied by the TSB Computer Centre (demolished around 2000) with vehicular access at north-western end of the site. The site is generally flat and featureless in the middle, with level changes and some trees along its western, southern and eastern boundaries.
- 1.2 The application site is identified as a key deliverable housing site in the Crawley Borough Local Plan 2015-2030 (Policy H2), with 40 dwellings as an indicative capacity figure. It is also within a Priority Area for District Energy Network as defined by Local Plan Policy ENV7. The Council's mapping records also show that the site is identified as potentially contaminated land and is partially within the railway buffer zone.

- 1.3 To the east of the site is a public right of way, the Tilgate Drive footpath/cycle path, which runs at the top of a wooded embankment. The path bridges the Crawley to Three Bridges railway line which marks the southern boundary of the site. Tilgate Drive footpath/cycle path is an important feature in the area and is an area of Structural Landscaping as defined by Policy CH7 of Crawley Borough Local Plan 2015-2030. Beyond the railway to the south are two storey houses in Burwash Road. To the west of the site is the former EDF Building, a 4-storey converted office to residential building with habitable windows facing the site. The former EDF building appears to be approximately 1m lower than the application site. To the north of the site is Sutherland House, a 5-storey office building, part of which has been converted to residential (the eastern part).

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 This application seeks planning permission for the erection of an L-shaped four storey building comprising 59 flats with associated landscaping, refuse and cycle storage, infrastructure works and parking court at the rear. The scheme has been amended since the application was submitted, through revisions to the design of the proposal, the layout of the proposed units, the housing mix (by providing 3-bedroom flats), provision of a footway, additional cycle spaces and trees and landscaping, provision of solar panels and drainage of the car park.
- 2.2 The proposed building would be L-shaped, extending along the Russell Way frontage and down the side boundary with the public footpath. It would be set back from Russell Way to the front by between 0.9m and 2.9m due to the bay projections and slightly irregular shape of the plot. To the east, it would be set away approximately 8m-12.5m from the Structural Landscaping/public footpath, which is outside the application site. At its closest point on the north-west corner, the building would be approximately 1.7m from the EDF site boundary. Due to the L-shape of the proposal, there would be a 31.7 metre gap to the western boundary with EDF Building from the eastern part of the building. The overall maximum dimensions of the building would be 49.4m by 51.8m. It would have a flat roof measuring 14.7m in height (maximum height). To the east, due to level changes and the embankment, part of the proposed building would measure 11.1m in height.
- 2.3 The proposal would comprise 23 x 1-bedroom flats, 33 x 2-bedroom flats and 3 x 3-bedroom flats, of which 8 x 1-bedroom flats and 4 x 2-bedroom flats are proposed to be Intermediate Affordable Housing units. Internally there would be three lift/stair cores, all with their own circulation and access from outside. The primary entrances would be located on the ground floor facing Russell Way and on the first floor facing east towards Tilgate Drive. For residents using cycles or cars, there would be two more semi-public entrances located within the courtyard/parking area to the west. The external entrance off Tilgate Drive to the east is proposed to interact with the adjacent footpath, due to the existence of the public right of way and large change in level in this part of the scheme.
- 2.4 The proposal would have a rooftop amenity area, along with private balconies for each unit. The proposal would be brick built in Hamsey Multi Stock brickwork, with some contrasting brick in light cream stock. The balconies, windows and doors would be metal pebble grey (RAL 7032).
- 2.5 Vehicular access to the proposed car park would be provided by the existing vehicular access from Russell Way (western end of the site) via an undercroft of the proposed building. A separate pedestrian access point at Russell Way to the north-east is proposed to serve the development. The car park would provide a total of 40 spaces, 3 of which would be disabled. Motorcycle parking is also proposed at the south-western corner of the car park for the use of residents. Cycle parking areas are proposed for 94 resident cycles and 10 visitor cycles. Two cycle stores for the residents would be within the footprint of the building, utilising a double stack and wall fixed systems, and a third cycle store would be below the undercroft to the north-west secured with the use of a brickwork wall surround and locked door. 5 Sheffield cycle stands would be provided externally at the eastern edge of the site to accommodate a total of 10 visitor bicycles. Two refuse stores are also located within the footprint of the building.
- 2.6 The following documents have been submitted in support of the application:
- Design and Access Statement
  - Daylight & Sunlight Report
  - Flood Risk Statement
  - Utilities & Servicing Statement

- Air Quality Assessment
- Noise and Vibration Assessment
- Desk Study, Site Investigation & Risk Assessment Report
- Ecological Assessment
- Energy Statement
- Sustainability Statement
- Transport Statement
- Travel Plan Statement
- Framework Construction Traffic Management Plan
- Planning Statement
- Arboricultural Implications Report
- Viability Assessment Report

- 2.7 Following consultation responses received and discussions with officers, an Ecological Mitigation and Enhancement Strategy, a Landscape Addendum, a Planning Addendum, a Technical Note regarding Noise, a Dynamic Overheating Assessment and an Updated Energy Statement have been submitted along with a covering letter regarding the amendments, updated information and addendum documents.
- 2.8 Revised elevation and floorplan drawings have also been submitted, again following discussions with officers on various design, layout, housing mix, landscaping and other matters.

### **PLANNING HISTORY:-**

- 3.1 The site formerly contained a two storey TSB office building. The site was cleared many years ago. Of relevance are:
- CR/1998/0011/RUP – Renewal of outline consent to demolish existing office building and ancillary buildings and erect a four storey B1 (office) building with basement and parking – Permitted.
  - CR/1999/0210/OUT – Demolition of existing office building and ancillary buildings and erection of a four storey B1 office building with basement and car parking – Permitted.
  - CR/2000/0017/FUL – Demolition of existing buildings and erection of B1 office building with basement and deck car parking (amended plans received 06/04/2000) – Permitted.
  - CR/2000/0426/FUL – Erection of B1 office building with associated car parking at ground and first floor deck level – Permitted.
- 3.2 Previously, the site came forward for redevelopment with the adjoining EDF building to the west (former Seeboard). All of the above and the following permissions have subsequently lapsed:
- CR/2003/0491/FUL – Erection of three buildings (varying between ground plus three upper floors and ground plus seven upper floors) containing 237 apartments (118 one bed and 119 two bed), five live/work units and 279sq. m. of B1 floorspace. The provision of a new access from Russell way, 275 car parking spaces (25 at ground level and 250 in a basement plus private informal amenity space) – The application was withdrawn by the applicant.
  - CR/2004/0889/FUL – Erection of mixed use scheme comprising 280 residential units, medical & commercial units together with associated car parking & new entrance arrangements – Refused and appeal withdrawn.
  - CR/2005/0812/FUL – Erection of residential development comprising 270 residential units with associated car parking, landscaping and new access arrangements – Appeal allowed on 24 August 2006. The proposal included a series of linked blocks, rising in height from 3 storeys at the west of the site, adjacent to Beverley Mews, via a stepped link to 5 storeys as Block A, linked to the L-shaped Blocks B and C which were proposed at 9 storeys of accommodation and Block D which were shown to be 10 storeys of accommodation. The reasons for refusal for the Council included loss of land for employment purposes, density of development would have been out of character and the excessive height, bulk and massing would have resulted in a dominant and overbearing form of development in the streetscene.
  - CR/2010/0313/FUL – Extension of time limit for CR/2005/0812/FUL for erection of residential development comprising 270 residential units with associated car parking, landscaping and new access arrangements – Refused and appeal withdrawn. The reason for refusal stated that the proposed development would cause harm to the residential environment of nearby properties by

virtue of its scale, bulk and impact on privacy that would not be outweighed by the benefits of the increased housing supply provided by the development.

### 3.3 Former EDF Building

- In March 2018 a prior approval was given under ref: CR/2018/0015/PA3 for the change of use from office to residential for 42 two-bedroom units. The building is now occupied by residents.
- CR/2019/0046/NCC – Variation of conditions 2 (plans) & 3 (schedule of materials) pursuant to planning permission CR/2018/0673/FUL for external alterations to the existing building – Permitted.
- CR/2018/0673/FUL – External alterations to the existing building – Permitted.
- CR/2019/0065/FUL – Erection of front fence and entrance gate (amended plans received) – Permitted.
- CR/2018/0297/FUL – Erection of a four storey side extension comprising 20 x 2-bedroom flats, re-cladding external façade and changes to fenestration – The application was withdrawn by the applicant.
- CR/2018/0891/FUL – Erection of 3 storey side extension comprising 12 x two bedroom flats (amended description & amended plans received) – Permitted on 29/10/2020.
- CR/2018/0891/CC1 – Discharge of condition 7 (cycle parking), 9 (travel plan), 14 (refuse storage area) & 15 (bird hazard management plan) pursuant to CR/2018/0891/FUL for the erection of 3 storey side extension comprising 12 x two bedroom flats – this application is currently under consideration.
- CR/2020/0791/NCC – part variation of condition 2 (approved plans) and removal of condition 5 (screens of wintergardens) pursuant to CR/2018/0891/FUL (erection of 3 storey side extension comprising 12 x two bedroom flats - amended description & amended plans received) this application is currently under consideration.

### Sutherland House

- CR/2019/0334/FUL – Installation of playground – Permitted.
- CR/2019/0206/FUL – External alterations of the existing elevations including introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2017/0882/PA3 for the approved change of use from B1 (office) use to C3 (residential) for 136 units including 25 x studio flats, 14 x one bedroom flats and 97 x two bedroom flats - resubmission of planning permission CR/2018/0803/FUL to include 4 additional windows – Permitted.
- CR/2019/0178/NCC - Variation of condition 1 (parking spaces) of prior approval CR/2017/0882/PA3 to relocate two previously approved car parking spaces within the site – Approved.
- CR/2018/0803/FUL – External alterations of the existing elevations including the introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2017/0882/PA3 for the approved change of use from b1 (office) use to c3 (residential) for 136 units including 25 x studio flats, 14 x one bedroom flats and 97 x two bedroom flats – Permitted.
- CR/2018/0453/FUL – Planning application for the construction of an additional storey comprising 7 no. flats, staircase, lift, communal amenity space and associated parking, refuse and cycle storage – This application is currently under consideration.
- CR/2017/0882/PA3 – Prior approval for change of use from B1(A) offices to C3 (residential) for 136 dwellings (25 x studio flats, 14 x one bed flats and 97 x two bed flats). Approved 11/12/17.
- CR/2017/0041/FUL – External alterations of the existing elevations including the introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2016/0608/PA3 involving the approved change of use from B1 (office) use to C3 (residential) for 230 studios including 166 vehicle parking spaces and 259 bicycle spaces (amended plans received) – Permitted.
- CR/2017/0040/FUL – External alterations of the existing elevations including the introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2016/0607/PA3 involving the approved change of use from B1 (office) use to C3 (residential) for 100 units (28 x 1 bedroom units, 47 x 2 bedroom units and 25 x 3 bedroom units) with 130 parking spaces and 187 cycle spaces (amended plans received) – Permitted.
- CR/2017/0037/FUL - Physical division of Sutherland house through removal of the link bridge at 1st to 4th floor levels and inclusion of fire escape – Permitted.

- CR/2017/0036/FUL - External alterations of the existing elevations including the introduction of windows, new masonry facades and external fire escapes in accordance with prior approval CR/2016/0606/PA3 involving the approved change of use from B1 (office) use to C3 (residential) for 180 units including 126 studios and 54 x 2 bedroom units (amended plans received) – Permitted.
- CR/2016/0608/PA3 – Prior notification of office to residential (C3) comprising 230 studio apartments with 259 cycle parking spaces and 165 parking spaces (option 3) – Prior Approval Approved
- CR/2016/0607/PA3 – Prior approval from office (B1) to residential (C3) comprising of 100 units (28 x 1 bedroom units, 47 x 2 bedroom units and 25 x 3 bedroom units) with 130 parking spaces and 187 cycle spaces - option 2 – Prior Approval Approved.
- CR/2016/0606/PA3 – Prior approval for change of use from B1 (office) to C3 (residential) comprising 180 units (126 no. studios, 54 no. 2 bed), 256 bicycle parking and associated car parking - option 1 – Prior Approval Approved

## **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.

- Section 2 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
- Section 4 – Decision Making 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. To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- Section 8 – Promoting healthy and safe communities seeks to ensure planning policies and decisions 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 – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
- Section 11 – Making effective use of land – this section promotes 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. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- Section 15 – 'Conserving and enhancing the natural environment' - includes advice on ground conditions and pollution. Paragraph 180 states: *'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: a) Mitigate and reduce to a minimum the 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 policies from the Crawley Borough Local Plan are most relevant to the proposal:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals the council will take a positive approach to approving development which is sustainable.
- Policy CH1: Neighbourhood Principle states that the town's structure will be protected and enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places.
- 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 including residential extensions.
- 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 though 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. 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 the tree canopies. If on-site provision is not feasible or desirable, commuted sums will be sought in lieu.
- Policy CH7: Structural Landscaping. The area to east of the site has been identified as Structural Landscaping. Areas of soft landscape that make an important contribution to the town and its neighbourhoods, in terms of character and appearance, structure, screening or softening, have been identified on the Local Plan Map. Development proposals that affect this role should demonstrate the visual impact of the proposals and should protect and/or enhance structural landscaping, where appropriate.
- Policy CH11: Rights of Way and Access to the Countryside. Proposals which detract from the character of a right of way or other type of recreational route must adequately mitigate the impacts or provide a new resource of equal or better value if this is not possible. This may include: i) the provision of safe and convenient links to nearby rights of way/recreational routes; and/or ii) new or upgraded existing rights of way to multi-functional routes to create benefits for a range of users.
- Policy H1: Housing Provision. The council will positively consider proposals for the provision of housing to meet local housing needs, taking a pro-active approach to identifying suitable sites for housing development and working to overcome constraints wherever possible, whilst ensuring against detrimental town-cramming or unacceptable impacts on the planned character of the existing neighbourhoods or on residential amenity.
- Policy H2: Key Housing Site. The site is a key deliverable housing site allocated in this policy with 40 dwellings as an indicative capacity figure.

- 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 ENV2: Biodiversity. All development proposals will be expected to incorporate features to encourage biodiversity where appropriate.
- 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 contributions 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 the Building Regulations, and any subsequent increased requirements. Proposals for new non-domestic buildings should achieve BREEAM Excellent (for water and energy credits) where technically and financially viable.
- Policy ENV7: District Energy Networks (DEN). The site is within a priority area for District Energy Networks. The development of district energy networks and associated infrastructure is encouraged and should be approved unless it results in significant adverse impacts on the environs. The policy requires that any major development proposal should demonstrate whether it can connect to an existing DEN, where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- Policy ENV8: Development and Flood Risk. 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. For non-residential development, where technically feasible and viable, development should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits. Applicants must demonstrate how they have achieved the requirements of this Policy within their Sustainability Statement as required by Policy ENV6.
- Policy ENV10: Pollution Management and Land Contamination. Where a site is known or suspected to be at risk from contaminants or materials that present a hazard to health, information must be provided detailing the methodology through which risks will be addressed, and ensuring the treatment and/or removal of all such contaminants and materials prior to the commencement of development.
- Policy ENV11: Development and Noise. People's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Noise sensitive uses proposed in areas that are exposed to significant noise from existing or future industrial, commercial or transport (air, road, rail and mixed) sources will be permitted where it can be demonstrated that appropriate mitigation, through careful planning, layout and design, will be undertaken to ensure that the noise impact for future users will be made acceptable. Further guidance on this policy is provided in the Crawley Local Plan Noise Annex.
- 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.
- 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.

#### Emerging Crawley Borough Local Plan 2021 – 2037 (January 2021)

4.3 The Local Plan Review Submission Consultation Draft 2021-2037 has been published for Regulation 19 consultation from 6 January 2021 until 17 February 2021, 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: Movement Patterns, Layout and Sustainable Urban Design
- Policy CL4: Compact Development – Layout, Scale and Appearance
- Policy CL6: Structural Landscaping
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy DD3: Standards for All New Dwellings (including conversions)
- Policy DD4: Tree Replacement Standards
- Policy DD5: Aerodrome Safeguarding
- Policy OS2: Provision of Open Space and Recreational Facilities
- Policy OS3: Rights of Way and Access to the Countryside
- Policy IN1: Infrastructure Provision
- Policy IN3: Supporting High Quality Communications
- Policy H1: Housing Provision
- Policy H2: Key Housing Sites
- Policy H3: Housing Typologies
- 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 SDC2: District Energy Networks
- Policy SDC3: Tackling Water Stress
- Policy EP1: Development and Flood Risk
- Policy EP3: Land and Water Quality
- Policy EP4: Development and Noise
- Policy EP5: Air Quality
- Policy ST1: Development 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. It also includes further guidance and examples on residential

development and sets out 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 the rear of an adjacent building and outdoor private amenity space standards.

- 4.6 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.
- 4.7 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.*"
- 4.8 It also includes the Crawley minimum car parking standards (Annex 1). The boundaries of the zones are shown on zone plans. These boundaries are indicative only, and consideration will be given to applying similar standards in close proximity to the boundaries. For Three Bridges Residential Zone, for 1-bed flats the minimum standard is 1 space, for 2-bed flats the minimum standards are 1.2-1.5 spaces and for a 3-plus bed are 2-3 spaces. 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, 1 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:

- 4.9 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 and 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 and in respect of considering landscaping as part of high quality design.

#### Planning and Climate Change SPD 2016:

- 4.10 This SPD includes further guidance and justification on sustainability policies within the Local Plan (Policies ENV6, ENV7, ENV8, ENV9 and IN3).

#### Affordable Housing SPD 2017

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

#### Crawley Community Infrastructure Levy Charging Schedule 2016

- 4.12 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)

- 4.13 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 main planning issues in the determination of this application are:

- The principle of the development at this location
- The design and appearance of the proposal and its impact on the visual amenity
- The impact on the amenities of neighbouring occupiers
- Noise
- The acceptability of the proposed development for future occupiers
- The impact on access, highways, parking and the site's operational requirements
- Impact on trees, landscaping and ecology
- Drainage
- Sustainability
- Housing Mix
- Provision of Affordable Housing and Infrastructure Contributions
- Gatwick Airport safeguarding

#### The principle of the development at this location

5.2 Local Plan Policy H2 identifies the site as a key deliverable housing site. The use of the site for new flats is also in accordance with NPPF objectives to promote and encourage residential development on appropriate sites. The proposal accords with Policy H2 and therefore the principle of residential development is considered acceptable. Policy H2 states the indicative capacity for Former TSB site as 40 dwellings. From the adopted Local Plan perspective, the proposed quantum of 59 units would represent an uplift of 19 and as such a windfall contribution towards meeting the borough's housing need. On the other hand, further work undertaken by the council as part of the Local Plan review has established that the site could be capable of taking a higher quantum. The submission draft 2021 Local Plan (Policy H2) and supporting SHLAA and Housing Trajectory give an indicative total of 90 dwellings for the site, i.e. 31 higher than is proposed. From the emerging Local Plan perspective, the proposal involves a reduction in the potential of the site as a source of housing. However, limited weight can be given to the emerging Local Plan at this time owing to its early stage and ongoing consultation. The proposal would provide 59 new residential units to meet Crawley's housing needs, which is above the indicative adopted capacity figure. Given this and the constraints on site, despite the emerging Local Plan indicative capacity, the proposal is considered acceptable in principle. The site's opportunities and constraints are discussed in more detail below.

#### The design and appearance of the proposal and its impact on visual amenity

5.3 The immediate streetscene of Russell Way comprises the application site, EDF Building to the west and Sutherland House to the north. Tilgate Drive footpath/cycle path, the public right of way, runs at the top of a wooded embankment to the west. Sutherland House is a 5-storey building of little architectural merit. EDF building is a 4-storey building and, following residential conversion, is now finished in white render with grey windows and decorative louvres. According to the Urban Design SPD and Local Plan policies CH2 and CH3, the scale, massing and form of flatted developments should relate to the surrounding area.

5.4 The proposed building would be 4 storey in height and would be L-shaped. The height, bulk and massing of the proposal is considered acceptable and would have a sympathetic relationship with Russell Way streetscene, given the 4-storey and 5-storey buildings to the west. Ground floor garden areas and windows would create an active frontage and improve natural surveillance along Russell Way. Tilgate Drive to the east is Structural Landscaping and the proposal would introduce a new building into this vacant site. The visual impact would inevitably change, compared to the vacant site but, given the 4-storey height and retention of the mature trees on the eastern boundary, this is considered to be acceptable and would not have a significant adverse impact on the visual amenities of this part of Tilgate Drive. At the same time, the proposal would provide some natural

surveillance and security to the Tilgate Drive footpath, via new windows, balconies/ground floor gardens and entrances. The proposal would incorporate a new pedestrian route to the east. This would improve surveillance and security of the public realm, increase access to the pedestrian route onto Tilgate Drive and improve permeability. The proposal is therefore considered to positively address this part of Russell Way and Tilgate Drive.

- 5.5 The building would have a flat roof, incorporate two flat bay projections along the front elevation (Russell Way) and would have balconies to each elevation. The original design has been revised to respond to officer concerns about the glazing on the elevations, the detailing of horizontal panels of brickwork and vertical metal posts and columns fronting the balconies and how these elements impacted on bulkiness and visual appearance. The amended building would incorporate larger vertical windows and the vertical metal posts of the balconies have been replaced with brick piers. These are considered an improvement to the design and appearance of the originally submitted scheme and have helped to create larger distinct elements of bay projections and balconies along the front elevation onto Russell Way. The proposal would make interesting use of contrasting brick bays and brick pier balconies to the front.
- 5.6 The materials of the building would be brick (Hamsey Multi Stock) in varying patterns (stretcher bond, stack bond, soldier course and rusticated coursing). This variety would create texture and interest to the elevations, to a degree reflecting 'New Town' characteristic features. The building would have lines of brick banding in lighter colour and the recessed brick panels of the bays in stack bond coursing are now finished in a different colour. These elements are considered to further articulate all the elevations and the bays to the front. New brick frames for the entrances onto Russell Way and Tilgate Drive have been inserted as part of the revisions which are considered acceptable and would make these more legible within the streetscene of Russell Way and Tilgate Drive.
- 5.7 The proposal would also include a roof garden to be used by residents. The roof garden has been stepped back from the edge of the roof parapet to reduce visibility from the street and ensure safety. Raised planters, larger feature shrubs, a small pergola, benches and seating cubes would be used and are considered to create an attractive communal amenity space for residents with no impact on the visual amenities of the area.
- 5.8 Overall, the revised proposal is considered to be an improvement on the originally submitted scheme. The size, height and scale of the proposed building is considered appropriate to the surrounding area. In design and visual appearance terms, the revised building would sympathetically relate to the surrounding area. The proposal is therefore considered to accord with the relevant Local Plan Policies, the Urban Design SPD and the NPPF.

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

- 5.9 The neighbouring building most affected by the proposal is the former EDF Building to the west. That building is 4-storey and has eastern side habitable room windows, serving living room/dining/kitchen areas and bedrooms. These bedrooms are also recessed beneath external overhangs.
- 5.10 The applicant has submitted a Daylight and Sunlight report in support of this application. This report concludes in relation to daylight that deviations from the targets set out within the BRE guidance 'Site layout planning for daylight and sunlight: A guide to good practice' (2011) are minimal and isolated to bedrooms with windows beneath overhangs. The applicants have also assessed these bedrooms with the overhangs / projections removed. The results showed that the units would fully meet the targets if these features were not in place. The report therefore concluded on this matter that the assessments show that the design of the neighbouring building to be a main contributing factor in the sensitivities, rather than the massing of the proposed scheme.
- 5.11 This report also concludes in relation to sunlight that in accordance with BRE recommendations, it has not been necessary to test EDF Building because the windows facing the site are not within 90° of due south.

- 5.12 Given the above conclusions of the Daylight and Sunlight report and the design constraints of this neighbouring building, it is considered the proposal would not have a significant detrimental impact on the amenities enjoyed by the occupants of the former EDF Building in terms of overshadowing and loss of light.
- 5.13 The closest western side windows of the proposed development would serve living room/dining/kitchen areas of 2-bedroom flats on the first, second and third floors. However, these windows would be high level and secondary windows, as these areas would have their primary windows to the south. The side high level windows would be at an angle and 13.5m distance from the side windows of the EDF Building. According to the Urban Design SPD, a minimum distance of 10.5m should be provided between a blank side gable and any windows serving habitable rooms on adjacent properties. Some other side windows are proposed further to the north-west to serve bedrooms. These would have a more angled relationship and be approximately 17m away. Given the high level windows, the angled relationship to the former EDF Building and the separation distance, the proposed closest western side windows are considered acceptable and would not cause an adverse impact on the amenities of the former EDF building in terms of overlooking, loss of privacy or overbearing impact.
- 5.14 Due to the L-shaped nature of the proposed building, straight views from the former EDF building windows would be towards the southern part of the proposal. The direct window to window separation distance here would be approximately 41m. According to the adopted Urban Design SPD three or more storey buildings will need to maintain a minimum distance of 30 metres between the rear windows of an opposing dwelling and the rear facing windows of the proposal in order to avoid any potential overlooking and privacy issues. Therefore, given the above, the proposed development would not result in a harmful overlooking or loss of privacy to the occupiers of EDF Building.
- 5.15 Sutherland House (5 storey building) to the north, lies approximately 39m from the proposed windows on the northern elevation of the proposal. The separation distance is such that there would be no harmful impact on this building. The submitted Daylight and Sunlight Report concluded that a detailed assessment is not required because, given the separation between the scheme and this neighbour, the angle from the centre point of the lowest window of Sutherland House would be well within 25 degree angle in line with the BRE guidelines for daylight and sunlight, and therefore the proposed development would not have a material effect on the residents of Sutherland House.
- 5.16 Nos 34-42 Burwash Road are 2 and 3 storey dwellings that are located to the south of the railway line which bounds the application site. These properties are at least 43m away from the proposed development and are already constrained in their outlook by existing trees. The separation distance is such that there would be no harmful impact on these neighbouring properties. The submitted Daylight and Sunlight Report also concluded that a detailed assessment is not required because, given the separation between the scheme and this neighbour, the angle from the centre point of the lowest window of No.38 Burwash Road would be well within 25 degree angle in line with the BRE guidelines for daylight and sunlight, and therefore any loss of daylight to these properties is expected to be unnoticeable and in line with the BRE guidelines.
- 5.17 To conclude, it is considered that the proposal would not have a significant detrimental impact on the amenities enjoyed by the occupants of neighbouring properties and would accord with the relevant Local Plan policies, the Urban Design SPD and the relevant paragraphs of the NPPF.

## Noise

- 5.18 The site is bordered by the railway line to the south and Russell Way to the north. Further to the east is Stephenson Way industrial area, beyond the public footpath and woodland. The nearest unit within this industrial site is Buildbase, a builders merchants, which only operates during the day. Policy ENV11 seeks to protect future residents from unacceptable noise impacts. It requires a noise impact assessment where sensitive development is proposed in noisy locations. Proposals that would expose future users of the development to unacceptable noise levels will not be permitted, unless appropriate mitigation, through careful planning, layout and design, can be provided.

- 5.19 The applicants submitted a Noise and Vibration Assessment in support of the application. The noise report shows that parts of the building fall within the lower end of the Significant Observed Adverse Effect Level of policy ENV11 and therefore require some noise mitigation, especially at night. The main noise source observed on site was from rail traffic. The noise from Buildbase and aircraft serving Gatwick was also measured, and it was concluded that this noise would not adversely affect future residents. There is a roof garden which is protected from surrounding noise sources which would achieve the recommended standard in BS8233:2014 – Guidance on Sound Insulation and Noise Reduction for Buildings.
- 5.20 Following discussions with Environmental Health regarding concerns about noise, needing to keep windows closed, good acoustic design and overheating, a Technical Note regarding noise and a Dynamic Overheating Assessment have been submitted. In addition, the submitted Planning Addendum refers to good acoustic design/hierarchy considerations.
- 5.21 The Planning Addendum and Technical Note justify the provision of an L-shaped building and detail the acoustic design approach. They show how the number of sensitive rooms is minimised and amenity space has been relocated and is screened to reduce external sound levels as far as practicable. Being L-shaped, the majority of the building is set away from the railway line or the facades are perpendicular to the railway line. Where windows are side hinged, the opening would face away from the rail line to minimize reflections into the rooms. Solid screened balconies are provided with under soffit absorptive material to minimise reflected sound whilst maintaining an open balcony. As a result, a narrow flank elevation is close to the southern boundary with the railway but the flats here (total of 8 flats out of 59 flats) would be dual aspect and benefit from primary elevations either fronting onto Tilgate Drive or onto the landscaping and car parking courtyard behind the building. The Planning Addendum also states that; *'the railway is set in a cutting 1m below the level of the site with a 0.5m raised bank along the boundary, and thick existing planting across the embankment, so the existing topography and landscape also provides a natural barrier to noise.'* The balconies and terraces close to this southern boundary would have solid acoustic screens forming a barrier to the noise pathway and sheltering the amenity spaces and windows along the east and west elevations.
- 5.22 The Environmental Health team reviewed the additional information and commented that it confirms that the internal noise levels specified in BS8233 would be exceeded if the windows are left open for ventilation. The levels of exceedance are not large, but would be more problematic at night especially the night-time L<sub>Amax</sub> levels. However, the new overheating report assumes that the occupants can use the windows normally for ventilation. The report also makes the assumption that the residents would be at home during the day to open those windows, which again is not necessarily the case as many will be out during the day. It is likely that an occupant who is out during the day would need to open their windows at night to cool their flat down. This could exposing them to excessive noise. However, the Environmental Health Team considers that this is resolvable and has recommended a condition regarding an overheating and ventilation strategy. They state that, as a part of the discharge of that condition, the applicants can include a review of the overheating report to reflect the fact that windows may need to be kept closed during the day and night for either security or noise reasons.
- 5.23 Overall, the proposed development, subject to a detailed condition recommended by the Council's Environmental Health team, would be in accordance with Local Plan policies CH3 and ENV11 and the relevant paragraphs of the NPPF.

#### 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. All the proposed units would meet the minimum space standards.
- 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. The proposed development would provide balconies for each unit and the proposed private balconies would meet the requirements contained in the Urban

Design SPD. A 200 sqm communal amenity area would be provided as a rooftop terrace. It is therefore considered that the private and communal amenity areas would be sufficient for the future occupiers.

5.26 Officers raised concerns over the layout of some of the proposed units and requested matters of privacy, light and provision of dual aspect units to be re-considered to improve the living environment for the future occupants. The applicants submitted revised layout and landscaping to address these concerns as following:

- Ground floor:
  - Flat A1 01 now has a new 1m wide hedge / threshold planting outside its windows to increase privacy, along with a new window facing south onto the terrace to provide dual aspect for this flat.
  - Flats A1 02 & A2 02 have been redesigned to provide dual east/west aspect for privacy and lighting reasons, and the amenity space to the east of the building has been revisited to provide more generous ground floor terraces to these flats and improved soft landscape screening for this area.
  - Flat A2 03 had its amenity area to the north increased in area, and the landscape revisited to provide more defensible space and more soft landscape in front of the terrace . A separate private amenity space has also been placed to the south of this flat which are accessed by the bedrooms. This gives the residents the choice of south facing amenity facing the railway or quieter and more private amenity space to the north.
- First floor: A2 09; A solid brick wall to the entrance from Tilgate Drive has been introduced to increase the screening of this flat.

5.27 All these amendments are shown on the revised plans and are considered an improvement to the between the proposed flats, the applicant confirmed that screens would be provided to the private balconies. This is considered acceptable to prevent overlooking and is recommended to be conditioned.

5.28 The applicants have submitted a Daylight and Sunlight report to support the proposed development, given the L-shaped nature of the building and the levels constraints to the east. For internal daylight amenity, this report concluded that 98% of the rooms would meet the targets for Average Daylight Factor (ADF). The 4 rooms which are below the targets are minor deviations of 0.1% and as such, are regarded non-material / unnoticeable. The applicants have also considered the daylight levels to the proposed units with the trees to the east in place. The results of the tree assessments show that of the 36 rooms assessed within the eastern elevation, 34 will meet or exceed the target in the summer months when the trees are in leaf. Both of the affected rooms are open plan living spaces served by external balconies (First R63 and Second R105). The report comments in this regard that: *'Room 63 is a minor deviation of 0.2% which is unlikely to be noticeable at 1.3% ADF. Room 105 is slightly lower at 1% ADF however this achieves the minimum requirement for a habitable space. Open plan configurations maximise the overall quality of the space but inevitably lead to reduced daylight levels. If we consider the main living space in isolation it is likely that the main living area closest to the window would meet / exceed the BRE target of 1.5% for a living room. When we consider the proposed units in the winter when the trees are bare, all rooms fully meet the BRE guidelines for ADF.'*

5.29 Given the above and the submitted supporting information, the layout of the proposed development would be acceptable and would provide a satisfactory living environment for future residents.

5.30 The proposed ground floor plan shows a main refuse store, located to the north-east of the building. This plan also shows another smaller store for block A2 within the main core of the block, with a holding area located in the undercroft of Block B (shown on the ground floor plan as A2 bin collect area). As clarified by the agent and shown in the submitted Transport Statement, due to the first floor extending over the access, large vehicles would not be able to enter the site due to height restrictions. Therefore, on collection days, a private management company would relocate the bins from the A2 bin store to the A2 collection point near to the site access. This route has been shown on a drawing included in the Transport Statement. The Council's Refuse team reviewed the submitted information and commented that the bin stores appear to hold sufficient bins for the number of flats and that the management company should be wholly responsible for presenting bins at the collection point by 7.30am on each collection day. They, however, requested a dropped kerb

to be shown in front of the main refuse store to the north-east of the building so that the bins can be lowered to road level.

- 5.31 The applicants submitted a car park layout and vehicle tracking drawing showing a dropped kerb. This has been reviewed by the Council's Refuse team and WSCC Highways who raised no objections. WSCC Highways commented that swept path tracking plans have been provided demonstrating that a refuse collection vehicle can manoeuvre within the existing turning head on Russell Way. Specific details of the dropped kerb are recommended to be secured by condition.
- 5.32 Overall, the proposed development would result in a satisfactory environment for future residents in terms of space standards, light, outlook and outdoor amenity space.

#### The impact on access, highways, parking and the site's operational requirements

- 5.33 Vehicular access to the proposed internal car park of the development would be provided by the existing vehicular access with Russell Way at the western end of the site via an undercroft.
- 5.34 WSCC Highways have been consulted and state that no changes to the existing vehicular access with Russell Way are proposed. This access is located to the western edge of the site and features 5m width and 4m kerb radii. The submitted drawings demonstrate that two cars can pass at the site access and within the site. It has also been demonstrated that the car parking spaces are accessible and that a car can turn on site in order to exit in a forward gear. Suitable vehicular visibility splays are available entirely within the publicly maintained highway and this has been annotated from 2.4m back into the centre of the existing access and extending to 43m in either direction along Russell Way (to the nearside kerb edge). As per the Manual for Streets (MfS), 43m is a suitable Stopping Sight Distance (SSD) for 30mph speeds. Russell Way is a cul-de-sac, which restricts traffic movements.
- 5.35 Regarding the road network capacity, WSCC Highways concluded that the proposals would not result in a road network capacity issue to the surrounding area, by commenting the following:

*'The previous permitted B1 office use was approximately 714sqm floorspace. The TS sets out person trip rates for the previous office use using TRICs (Trip Rate Information Computer Systems database) and has applied percentages from Crawley census travel data to determine modal split for transport modes to and from the site. The resultant vehicular peak hour trips indicate 19 x two way movements in the AM and 13 in the PM peak. To compare against the anticipated trips for proposed residential development, TRICs was interrogated under private flats data to determine person trip rate. Again using percentages from census data for travel modes in Crawley, it was found that 59 x flats could create 19 x two-way vehicular movements in the AM and 19 in the PM peak. The anticipated increase in vehicular movements to and from the site in the peak hours and over the 12 hour day period is considered negligible over what could be supported by the previous permitted office use. Furthermore, a limited amount of car parking will be provided which will limit the amount of vehicular movements to and from the site, and residents are anticipated to make use of sustainable transport means considering the location and proximity to services/amenities and Three Bridges Train Station. An increase of 50 vehicular movements per day over the previous use is not expected and thus a Stage 1 Road Safety Audit is not required on the existing access. As less than 30 vehicular movements are expected in peak hour the LHA would also not require a junction capacity assessment. It is considered that the proposals would not result in a road network capacity issue to the surrounding area.'*

- 5.36 A separate pedestrian access onto Russell Way to the north-east is proposed to serve the development. A footbridge at first floor level is also proposed to link directly with the Tilgate Drive footpath/cycle path right of way to the east. WSCC Highways welcome this link for pedestrian use for residents of first floor and above. Residents of ground floor and cyclists would travel to the footpath/cycle path by using the steps/ramps in north eastern corner of Russell Way. WSCC Highways requested a length of footway across the end of the cul-de-sac (currently overgrown vegetation) to make the development acceptable in pedestrian safety terms. The applicants provided a Car Parking Layout and Vehicle Tracking drawing showing the extent of widening to the existing footway (2m) that can be provided at the eastern edge of Russell Way requesting this to be conditioned. WSCC Highways raised no objection to this provision and commented that these works

can be carried out entirely within the public highway without impacting the existing space within the turning head. It is noted that the existing ramp extends to the kerb line and thus some levelling works may be required. As this part of the improvement works are outside the application site, details and approval of these improvements would be secured via a legal agreement.

- 5.37 The car park would provide a total of 40 car parking spaces, 3 of which would be disabled. The Council's minimum car parking standards, within and in close proximity to the Three Bridges Residential Zone where the application site is located, require 69-82 car parking spaces for the proposed development (1 space per 1-bed flat, 1.2-1.5 spaces per 2-bed flats and 2-3 spaces per 3 bed flats – the housing mix is 23 x 1-bed flats, 33 x 2-bed flats and 3x3-bed flats). The proposed development would have a shortfall of 29-42 spaces against these indicative minimum car parking standards.
- 5.38 The application site is located on the southern side of Russell Way which links with Paymasters General Roundabout (left in/left out junction) to the west, Haslett Avenue East to the north and Hawth Avenue to the south. The site is well located for access by cycling, with a number of on and off-road cycle routes in the vicinity as well as advisory cycle routes. Within 800m of the site, a number of services and amenities are easily accessible by foot, including local retail stores (500m from the Tesco Express to the west) and employment opportunities. There are also a number of schools, industrial estates and retail parks within the preferred maximum walking distance of 2km. It is considered that the nearby footway network is suitable to accommodate travel by foot, as a more sustainable transport option. Three Bridges railway station is approximately 10 minute walk and includes provision for car and bicycle parking. The station can be reached by the Tilgate Drive footpath/cycle path via the steps/ramp from north-east corner of Russell Way. The station provides services to larger employment and retail centres such as Brighton, London Victoria and Portsmouth. The nearest bus services are available from Paymaster Generals Roundabout (approximately 130m from site) and include bus shelter and timetable information. Frequent services to locations such as Crawley centre, Gatwick and other suburbs and further afield destinations such as Redhill are available. There are also additional bus stops in the vicinity including along Haslett Avenue East. The site is therefore in a sustainable location.
- 5.39 Transport Statement and Travel Plan Statement (TPS) have been submitted in support of the application. WSCC Highways raise no objection to the proposed car parking provision. They comment that the car parking spaces have suitable dimensions of 2.4m by 4.8m and the disabled spaces include an extra 1.2m wide hatching at the access aisles. WSCC Highways acknowledge the proximity of the site to sustainable transport modes, such as walking, cycling and public transport. Whilst it is advised that the car parking remains unallocated, the WSCC Highways does not raise a highway safety concern to the shortfall in parking. WSCC Highways states that the nearby road network features double yellow lines prohibiting overspill on-street parking in locations that could be detrimental to highway safety, and therefore no transport grounds to resist the car parking provision could be made. The Transport Statement includes car ownership data that, for the Crawley area, states that, for flats, 47% of households do not have a car and the average number of vehicles per flat is 0.62. This would equate to a potential demand for 37 x spaces. WSCC Highways conclude that, whilst not within Crawley town centre, the location is well sited for public transport links. WSCC Highways consider that the reduction in parking provision has been justified on site specific grounds and that options for non-car travel modes could realistically be taken up.
- 5.40 In addition, the TPS sets out a range of measures to encourage new residents to utilise sustainable modes of transport and provision of suitable targets to reduce single occupancy car travel and increase uptake of sustainable travel modes. The TPS sets out the background information of the site including proximity to rail and bus services and walking and cycling distances to nearby services and amenities. Section 5 sets out aims and objectives of the TPS and outlines targets to reduce single occupancy car travel by increasing number of sustainable trips by 15% within 5 years of occupation. The targets would be subject to survey data of residents and includes targets for increasing travel by train, bus, walking and cycling. A Travel Plan coordinator will be appointed prior to occupation to oversee development and implementation of the TPS. Liaison between the TPS coordinator and bus and rail operators will take place to seek to provide discounted vouchers for residents. Each flat will receive a 24 hr bus ticket and residents will also be encouraged to sign up to liftshare, the car sharing club. WSCC Highways consider that a final version of the TPS can be secured via condition prior to occupation to include the revised cycle parking and EV charging

points. The final TPS and should include details of the TPS coordinator and could also include a commitment to promoting bike shop discounts, more details of a travel audit for residents, a season ticket for the local bus/rail services, contribution towards the purchase of a new bicycle and/or equipment, Bikeability training and 12 months free membership to any local car club (including joining fee). Given the level of detailing required in this Travel Plan, its final version is recommended to be secured via a legal agreement.

- 5.41 Motorcycle parking is proposed at the south-western corner of the car park for the use of residents. The proposal, as amended, includes cycle parking for 94 residents' cycles and 10 visitor cycles. These cycle spaces would comply with the Council's adopted minimum cycle parking standards (91 resident cycle spaces and 8 visitor cycle spaces are required). The residents' cycle spaces would also be covered and secured in accordance with the requirements of the Urban Design SPD. This can be secured by condition. The Walking and Cycling Forum is happy with the capacity of the cycle spaces, but commented that some of the spaces proposed would be not be that useable and that some electric bike charging facilities should be provided. The applicant clarified that the annotation originally on the number of residential spaces on the main cycle store was incorrectly shown as 60 when it should be 54 (the proposal still exceeds the number of cycle spaces required for residents) and that two-tier stands of 'Bikedock Solutions' would be used. The applicant also argued that electric bike charging facilities are not required in policy or SPDs and that a universal charger is not possible as the majority of E-bike manufacturers state that their battery should only be connected to their own brand charger. Whilst unfortunate, this is considered acceptable given the lack of any policy or SPD requiring this provision.
- 5.42 Given the location of the proposed development, the fact that WSCC Highways raised no objection regarding the number of parking spaces, the submission of a Travel Plan, the provision of cycle parking in accordance with the Council's standards and the arguments included in the submitted Transport Statement in relation to car ownership data, it is considered that travel by bus, rail, foot and cycle could reasonably be utilised by residents of the new development thus reducing reliance on private car. Therefore, the shortfall of between 29 and 42 car parking spaces is considered, on balance, to be acceptable in this instance.
- 5.43 A Framework Construction Traffic Management Plan has also been submitted in support of the application. WSCC Highways do not raise objection in principle to this, but have commented that it has not been demonstrated that all vehicles can turn within the site. A detailed site set up plan would also be required within the revised CMP to show areas for contractor parking, plant/material storage, loading/unloading areas and wheel wash location. The applicant is invited to enter in to early discussions with the Crawley Area Highways Manager to discuss these requirements. WSCC Highways advised that all these matters should be addressed within the revised CMP, to be secured via condition. This is recommended to be conditioned.
- 5.44 Overall, WSCC Highways raised no objections to the proposed access arrangements and the resultant road network capacity, subject to conditions to secure details to include footway and dropped kerb. Given the sustainable location of the development, the above considerations by WSCC Highways and supporting information provided by the applicants, it is considered that the shortfall of between 29 and 42 car parking spaces would be, on balance, acceptable in this instance. Conditions are recommended in relation to car and cycle parking, and a construction management plan. Highway modification works to include the footway and dropped kerb, and a final version of the Travel Plan are recommended to be secured via a legal agreement.

#### Impact on trees, landscaping and ecology

- 5.45 The site contains some existing trees along the western, eastern and southern boundaries. An Arboricultural Implications Report has been submitted. Ten individuals and two group of trees are required to be removed in order to facilitate development. All these trees are category 'C' trees. The Council's Arboricultural Officer raised no objection to the proposed removal of the trees on site, provided that the Tree Protection plan is adhered to. This is recommended to be conditioned. He commented that none of the trees to be removed are visually significant and would not result in any loss of amenity. He is happy that the retained trees can be protected throughout the development with no significant future impact post-development.

- 5.46 The Council's Ecology Advisor reviewed the Ecological Assessment report submitted. He commented that, as set out in this appraisal, the site has little current biodiversity value other than along the boundaries. He raised concerns that the proposed landscaping scheme and vegetation on the roof of the terrace would not offer a net gain in line with the aspirations of the Local Plan policy ENV2. Along with this concern, officers also requested that the car park landscaping scheme be re-considered to achieve more trees on site to improve the living environment for future occupiers. The applicants submitted an additional Ecological Mitigation and Enhancement Strategy which includes bird boxes, means of escape for badgers, hedgehog gateways etc. A revised landscaping scheme has also been submitted to include additional planting within the site and roof terrace and 4 new trees within the parking layout. The Council's Ecology Advisor raised no objection to this strategy and revised landscaping scheme, stating that he is satisfied that the proposals now contribute to a net gain in accordance with Policy ENV2. He recommended a condition for this strategy to be implemented. The Council's Arboriculture Officer also reviewed the landscaping scheme submitted and commented that the choice of species would be appropriate and would work well with the scheme, subject to implementation condition. All these implementation conditions are recommended to be attached to the decision.
- 5.47 Overall, the proposal, subject to implementation of Tree Protection Plan, Ecological Mitigation and Enhancement Strategy and the proposed soft and hard landscaping plan, is considered acceptable and would accord with the relevant Local Plan policies and the NPPF.

### Drainage

- 5.48 The submitted Flood Risk Statement states that permeable paving and below ground attenuation with restricted discharge to the main sewer would be used to control the surface water runoff from the site. WSCC Lead Local Flood Authority raised no objection to this and commented that this method would, in principle, meet the requirements of the NPPF and associated guidance documents. The Council's Drainage Officer also raised no objection to the proposal by stating that the overall proposed design/submission including the landscaping, vegetation and roof garden is a clear and comprehensive and well thought-out solution. The Council's Drainage Officer is happy with comprehensive maintenance schedule and the indication that future maintenance would be undertaken by a management company.
- 5.49 However, minor revisions to the proposed drainage strategy have been made to address the Drainage officer's concerns about potential downstream flooding from the car parking area due to level changes. These revisions are recommended to be conditioned.
- 5.50 Overall, the proposal, subject to the implementation condition, is not considered to have a detrimental flood risk and would accord with the relevant Local Plan Policies, and the NPPF.

### Sustainability

- 5.51 The proposal is accompanied by an Energy and Sustainability Statement. Gas boilers are proposed to supply the space heating and hot water requirements of the dwellings. The Council's Energy and Sustainability Officer requested further information on an alternative approach to low carbon energy in the absence of any form of decentralised/communal system to accord with Policy ENV7. In response to this, an updated Energy Statement was submitted proposing solar PV panels to reduce the CO2 emissions by just over 10% more. This is considered an acceptable alternative and would be in accordance with Policies ENV6 and ENV7. The Energy Statement confirms that the proposed scheme intends to comply with the tighter 'optional' Building Regulations water efficiency requirement from Policy ENV9. The proposal, subject to conditions, is therefore considered to accord with Policies ENV6, ENV9 and ENV7.

### Housing Mix

- 5.52 Policy H3 requires all housing developments to provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. For market housing needs and demand in Crawley consideration should be given to the evidence in the SHMA and its updates. The originally proposed housing mix was 24x 1-bedroom flats and 35x 2-bedroom flats. Officers raised concerns about this proposed housing mix as, comparing the proposed mix with that set out in the SHMA updates and Local Plan, there was clearly a greater bias in the proposed mix towards smaller

properties. Officers requested the consideration of some 3-bedroom units to address the requirements of this policy.

- 5.53 Whilst applicants originally resisted providing any 3-bedroom units, making arguments based on the location of the site, the demand and viability of the site etc, they eventually revised the scheme to provide 3x3-bedroom flats and reduced the number of 1-bedroom units. The resultant housing mix is 23 x 1-bedroom flats, 33 x 2-bedromm flats and 3x 3-bedroom flats. This is considered a significant improvement to the originally submitted scheme and, given the higher-density flatted scheme, is considered on balance to be acceptable in this regard.

#### Provision of Affordable Housing and Infrastructure Contributions

- 5.54 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.
- 5.55 Twelve units (20% of the proposed development) are proposed to be Intermediate Affordable Housing. The applicant submitted a Viability Assessment arguing that it would not be viable to provide affordable housing in strict accordance with policy H4. This was independently assessed on behalf of the Council by Dixon Searle. The resultant assessment report concluded that Dixon Searle agreed with the provision of only 20% affordable housing and that it represents a reasonable offer in the particular circumstances.
- 5.56 Whilst it is unfortunate that the scheme cannot deliver 40% affordable housing, this has been justified in viability terms. The proposal would make a small contribution towards addressing Crawley's affordable housing needs. Provision of this level of affordable housing can be secured through a Section 106 agreement. The Council's Housing Enabling and Development Manager requested the S106 agreement to include a cascade mechanism and given that the scheme does not deliver 40% affordable housing, in accordance with paragraph 4.13 of the Affordable Housing SPD and the Planning Practice Guidance, a review mechanism of viability should be secured to address potential improvements in viability as the scheme progresses.
- 5.57 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 17 August 2016 and is relevant to this application for new residential units. The charge for residential within the borough-wide zone is £100 per sqm subject to indexation. 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.
- 5.58 According to Policy CH6, one tree per new dwelling created would need to be provided on site or as payment in lieu (£700 per tree) of this provision. The Policy also requires a payment for any existing trees lost as a result of the development based on the girth of the trees. Policy CH6 contains details on the calculations for replacement tree planting which are as follows:

<b>Trunk Diameter (CMS @ 1.5m above ground level)</b>	<b>Tree number</b>	<b>Number to be removed</b>	<b>Minimum number to replant</b>
Less than 19.9	15, 17, 18, 20, 21, G4 (Goat Willow, Silver Birth and Wild Cherry)	8	8
20 – 29.9	7, 13, 16, 22, 23, G2 (Hawthorn, Wild	9	18

	Cheery, Elder and English Oak		
30 – 39.9	19	1	3
Total		18	29

- 5.59 The proposal would involve the creation of 59 new residential units and would involve the removal of 18 trees, and based on the girth of these trees as shown on the table above, it would require 29 replacement trees. In total,  $59 + 29 = 88$  trees would need to be planted on site or with the agreement of the council off site. The revised Detailed Planting Plans submitted shows that 23 trees would be planted on site. Therefore, a contribution of £45,500 (£700 x 65 trees) would be required as a payment in lieu of this provision. The applicant has agreed to make this contribution towards the cost of purchasing, planting, protecting, establishing and initially maintaining new trees in locations that contribute to the character and appearance of Crawley. This would be secured through a legal agreement.
- 5.60 The proposal would involve the creation of 59 new residential units and therefore it would trigger off-site contributions towards children's/youth play, amenity green space and allotments. According to the Countryside & Open Space Officer, the proposed development would trigger contributions which would total £28,590.25 (£14,696.50 for provision for children/teenagers, £8,336.25 for amenity green space and £5,557.50 for allotments). This could be directed towards enhancing such provision at the Youth and Children's play space located within Southgate Park, the amenity green space to the north of Gales Drive and Gales Drive Allotments, subject to discussions with Community Services. The applicant has agreed to make this contribution which would be secured through a legal agreement.

#### Gatwick Airport safeguarding

- 5.61 Gatwick Airport Safeguarding and NATS have both commented on the application. NATS raises no objection. GAL Safeguarding raises no objection, subject to a condition for a Bird Hazard Management Plan to be submitted and implemented, and to a cranes informative.

#### **CONCLUSIONS:-**

- 6.1 The application site is a vacant brownfield site of approximately 0.3ha situated on the southern side of Russell Way, which is a short cul-de-sac leading from the "Paymasters General Roundabout" (left in/left out junction) to the west. It was formerly occupied by the TSB Computer Centre (demolished around 2000) with vehicular access at north-western end of the brownfield site. This application seeks planning permission for the erection of an L-shaped four storey building comprising 59 flats, of which 12 flats would be affordable housing, with associated landscaping, refuse and cycle storage, infrastructure works and parking court at the rear for 40 cars. Local Plan Policy H2 identifies the site as a key deliverable housing site and therefore the principle of residential development is considered acceptable.
- 6.2 The scheme has been amended since the application was submitted, through revisions to the design of the proposal, the layout of the proposed units, the housing mix by providing 3-bedroom flats, provision of a footway, additional residents' cycle spaces and trees and landscaping, and provision of solar panels and drainage of the car park. The revised proposal is considered to be an improvement on the originally submitted scheme. The size, height and scale of the proposed building is considered appropriate to the surrounding area. In design and visual appearance terms, the revised building would sympathetically relate to the surrounding area.
- 6.3 Given the design and positioning of the proposal via an L-shaped building and the submitted Daylight and Sunlight Report, the proposal would not have a significant detrimental impact on the amenities enjoyed by the occupants of neighbouring properties, and especially former EDF building to the west.
- 6.4 All the proposed units would meet the minimum space standards and would have private balconies in accordance with the requirements contained in the Urban Design SPD. A communal amenity area would also be provided as a rooftop terrace. The proposed development is also considered to result

in a satisfactory environment for future residents in terms of light, outlook. Subject to a detailed noise condition, it would also be acceptable in noise terms.

- 6.5 WSCC Highways raised no objections to the proposed access arrangements via the existing vehicular access and the resultant road network capacity subject to conditions to secure details to include footway and dropped kerb. Given the location of the proposed development, the fact that WSCC Highways raised no objection regarding the number of parking spaces (40), the submission of a Travel Plan, the provision of cycle parking in accordance with the Council's standards and the arguments included in the submitted Transport Statement in relation to car ownership data, it is considered that the shortfall of between 29 and 42 car parking spaces would be, on balance, acceptable in this instance. Conditions are recommended in relation to car and cycle parking and a construction management plan. Highway modification works to include the footway and dropped kerb, and a final version of Travel Plan are recommended to be secured via a legal agreement.
- 6.6 The impact of the proposal on the retained trees, drainage, landscaping, ecology and sustainability issues are all acceptable, subject to the appropriate conditions.
- 6.7 The revised resultant housing mix of 23 x 1-bedroom flats, 33 x 2-bedromm flats and 3x 3-bedroom flats is considered a significant improvement to the originally submitted scheme by providing some market 3-bedroom flats and, given the higher-density flatted scheme, is considered on balance to be acceptable in this regard.
- 6.8 Twelve units (20% of the proposed development) are proposed to be Intermediate Affordable Housing. Whilst it is unfortunate that the scheme cannot deliver 40% affordable housing, this has been justified in viability terms. The proposal would make a small contribution towards addressing Crawley's affordable housing needs. The applicant would also pay the contributions towards the cost of purchasing, planting, protecting, establishing and initially maintaining new trees, and towards children's/youth play, amenity green space and allotments.
- 6.9 It is therefore recommended that the scheme is granted planning permission subject to the conclusion of a Section 106 Agreement to secure:
- Provision of a minimum of 12 affordable housing units within the scheme, a cascade mechanism and a review mechanism to address any potential upturn in viability as the scheme is developed;
  - The tree mitigation (£45,500) infrastructure contributions;
  - Open space (£28,590.25) infrastructure contributions;
  - Highway modification works to include the footway and dropped kerb, and
  - A Travel Plan.

#### **RECOMMENDATION RE: CR/2020/0037/FUL**

**PERMIT** - Subject to the conclusion of a Section 106 agreement, and subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. 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, privacy screens and roofs of the proposed building and for 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 Supplementary Planning Document.

4. The building shall be constructed in strict accordance with the approved levels details associated with the application.  
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.
5. 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 Supplementary Planning Document.
6. No above ground development shall take place unless and until precise details of all roof mounted equipment (including roof plant, vents, lift runs, aerials, satellite dishes, solar panels) have been submitted to and agreed in writing by the Local Planning Authority. Details shall include the following:
  - The exact location of the equipment on the roof;
  - The height of the equipment above the roof;
  - The materials and finish of the equipment;
  - Drawings to demonstrate the visual impact of the equipment from Russell Way and Tilgate Drive; and
  - Demonstration from the siting of the equipment that all practical measures have been adopted to minimise the visual impact of the equipment on the surrounding area.The development shall be implemented and maintained strictly in accordance with the agreed details. No additional roof equipment shall be added to or altered without the prior written agreement of the Local Planning Authority.  
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 Supplementary Planning Document.
7. The building shall not be occupied until plans showing the exact location and details of the privacy and acoustic screens to the balconies and roof terrace have been submitted to and approved in writing by the Local Planning Authority. The screens shall be implemented in accordance with the agreed details prior to occupation of the building and thereafter retained.  
REASON: To ensure that the amenity of the future occupiers of the development is protected in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030 and the Urban Design Supplementary Planning Document.
8. Prior to the first occupation of the flats hereby approved, the rooftop amenity space shall be fully implemented and made available for use by residents. The amenity space shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.  
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 Supplementary Planning Document.
9. None of the flats hereby approved shall be first occupied until at least one car parking space for use by its occupants has been constructed and made available for use in accordance with the approved plans. No more than 80% of the flats hereby approved shall be first occupied until the car and motorcycle parking and electric charging points have been fully constructed and made available for use in accordance with the approved plans. Once provided, the car and motorcycle parking spaces and electric charging points shall thereafter be retained at all times for their designated purpose.  
REASON: To ensure that provision 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 Supplementary Planning Document.

10. The flats hereby permitted shall not be occupied until the covered and secure cycle parking spaces and visitor cycle parking spaces have been provided in accordance with the approved plans and details associated with the application. The spaces shall be made available to visitors and residents occupying the development and shall be maintained as such thereafter.  
REASON: To encourage sustainable travel options and in accordance with Policies CH3, IN3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design Supplementary Planning Document.
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 measures.
- REASON: In the interests of highway safety and the amenities of the area and to accord with Policies CH3, ENV12 and IN3 of the Crawley Borough Local Plan 2015-2030.
12. The flats hereby permitted shall not be occupied until the refuse and recycling areas have been provided in accordance with the approved plan. The areas shall be maintained as such thereafter. The refuse and recycling areas hereby approved shall operate in accordance with the Refuse Management Strategy included within the Transport Statement provided by Ardent Consulting Engineers (dated December 2019) and the details included within the email of the Transport Consultant (dated 24/03/2020) unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure the operational requirements of the site can be met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
13. The development hereby approved shall be carried out in strict accordance with the recommendations set out in the Arboricultural Implications report provided by SJA Trees Arboricultural planning consultants and dated December 2019 and shown on the Tree Protection Plan included within this report. 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 Policies CH2 and CH3 of Crawley Borough Local Plan 2015-2030.
14. The hard and soft landscaping scheme of the development hereby approved shall be implemented in accordance with the approved General Arrangement Plans and Detailing Planting proposals associated with the application, unless otherwise agreed in writing by the Local Planning Authority.  
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 and the Urban Design Supplementary Planning Document.
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. The development hereby approved shall only be undertaken in accordance with the Ecological Mitigation and Enhancement Strategy by Ecology Solutions October 2020 (ref 8299.EMES.vf1) and a statement of compliance, signed by the project ecologist, shall be submitted prior to first occupation.

REASON: To protect / enhance the biodiversity of the site in accordance with Policy ENV2 of the Crawley Borough Local Plan 2015-2030 and paragraph 175 of the NPPF.

17. No works above ground level shall be carried out until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- Management of the flat roof, including the green roof area on the proposed building which may be attractive to nesting, roosting and "loafing" birds.

The Bird Hazard Management Plan 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 minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

18. The development hereby approved shall only be undertaken in accordance with the Flood Risk Assessment report referenced 191941-02 provided by Ardent Consulting Engineers and dated December 2019, the Drainage Strategy drawing numbered 191940/02 Rev D and included within this Flood Risk Assessment Report, and the Initial Levels Plan numbered 191941-001 RevB associated with this application.

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.

19. No development shall take place until a scheme to protect dwellings against noise from (a) Russell Way (b) the railway line has been submitted to and approved in writing by the Local Planning Authority. For the purposes of this condition the scheme shall include:

- (i) Identifying the level of noise exposure for each dwelling and the means by which the noise level within any (unoccupied) domestic living room or bedroom, with windows open, shall be no more than 35 dB(A) Leq 16hr (between 0700 and 2300) and no more than 30dB (A) Leq 8hr (between 2300 and 0700); and
- (ii) the means by which the noise level within any (unoccupied) domestic bedroom, with windows open, shall not normally exceed 45 dB(A) LAFMax between 2300 and 0700.

Where the standards in (i) and/or (ii) above cannot be achieved with windows open, the scheme must show how those standards will be met with windows shut and the means by which natural and if proved necessary mechanical ventilation will be provided to adequately deal with summer overheating. Summer overheating will require a CIBSE TM59 assessment and any mechanical ventilation noise must not exceed Noise Rating Curve 25 (NR25) with windows shut.

No dwelling hereby permitted shall be occupied until the approved scheme has been implemented in respect of that dwelling.

REASON: To safeguard future occupants of the site from unacceptable noise and overheating impacts in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.

20. No development shall take place until a scheme to deal with the contamination of the land and/or ground water has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the measures approved in that scheme have been fully implemented. The scheme shall include all the following measures, unless the LPA dispenses with any such requirement specifically and in writing

1. A written remediation statement, detailing the works necessary so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including any controlled waters, shall be submitted to the LPA and agreed in writing with the LPA prior to any remediation commencing on site. Two copies of the remediation report shall be submitted to the LPA.

2. Approved remediation works shall be carried out in full on site, under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the remediation works contamination is encountered that had not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA in accordance with the process laid out at points 1 – 3 above.

3. Upon completion of the remediation works, this condition shall not be discharged until further validation report has been submitted to, and approved by the LPA. The validation report shall include quality assurance certificates to show that the works have been carried out in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site.

REASON: To safeguard future occupants of the site in accordance with Policies CH3 and ENV10 of the Crawley Borough Local Plan 2015-2030 due to the fact that the submitted Desk Study, Site Investigation & Risk Assessment report identified areas of contamination and pollutant linkages that could represent a risk to human health.

21. The residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that they shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

22. The residential units shall not be occupied until design-stage SAP calculation summaries for the development, detailing a level of environmental performance consistent with the submitted Energy Statement with Appendices dated October 2020, have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

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

23. No works above ground level shall be carried out until full details of the PV solar energy scheme referred to in the submitted Energy Statement and Appendices dated October 2020 have been submitted to and approved in writing by the Local Planning Authority. No subsequent alterations to the approved solar energy scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved prior to first occupation of the development hereby approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development addresses energy efficiency and climate change, does not endanger the safe movement of aircraft or the operation of Gatwick Airport through glint and glare in accordance with Policies ENV6, ENV7 and IN1 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

24. No works above ground level shall be carried out until a scheme to provide combined television reception facilities and superfast broadband for all flats 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.

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 21 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
3. 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.
4. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
5. 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.
6. 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. Thames Water 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 [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@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.
7. The applicant's attention is drawn to the advice provided by Environment Agency in their correspondence of 17th February 2020 stating the following:

'The applicant may be required to apply for other consents directly from us. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them.

The applicant should contact 03708 506 506 or consult our website (<https://www.gov.uk/environmental-permit-check-if-you-need-one>) to establish whether a consent will be required.'

8. The applicant's attention is drawn to the Network Rail's guidance for developments within close proximity to the operational railway and the advice provided by Network Rail in their correspondence of 3rd March 2020 stating the following:

'Due to the close proximity of the proposed development to Network Rail land and the operational railway, Network Rail strongly recommends the developer contacts Network Rail's Asset Protection team via

AssetProtectionLondonSouthEast@networkrail.co.uk with a view to enter into an Asset Protection Agreement to enable approval of detailed works to ensure the safety of the operational railway. The developer should make contact prior to any works commencing on site. More information can also be obtained from our website

<https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/> '

9. 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/)
10. A formal application for connection to the water supply is required in order to service this development. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).  
Website: [southernwater.co.uk](http://southernwater.co.uk) or by email at: [developerservices@southernwater.co.uk](mailto:developerservices@southernwater.co.uk)

#### 1. NPPF Statement

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

- Providing advice in a timely and manner through pre-application discussions/correspondence.
- Liaising with applicant and agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans and additional information to address identified issues during the course of the application.

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



# ArcGIS Web Map

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Crawley, West Sussex,  
RH10 1UZ  
Tel: 01293 438000



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