

**REFERENCE NO: CR/2020/0313/FUL**

**LOCATION:** [T AND N MOTS LTD GROUND FLOOR, 9 REYNOLDS ROAD, WEST GREEN, CRAWLEY](#)  
**WARD:** Northgate & West Green  
**PROPOSAL:** INCREASE IN HEAD HEIGHT OF NEW GARAGE/WORKSHOP FOLLOWING PARTIAL DEMOLITION OF EXISTING WORKSHOP. (AMENDED DESCRIPTION)

**TARGET DECISION DATE:** 15 September 2020

**CASE OFFICER:** Mrs V. Cheesman

**APPLICANT'S NAME:** Mr Tahir Shad

**AGENT'S NAME:** Mr Peter Cook

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**PLANS & DRAWINGS CONSIDERED:**

Drawing Number	Revision	Drawing Title
CBC 0001		Site Plan
2019/37/1		Existing Floor Plan
2019/37/2		Proposed Floor Plan
2019/37/3		Prop Elevations SE & NW
2019/37/4		Prop Elevations SW & NE
2019/37/5		Block Plan

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

- |    |                                     |   |
|----|-------------------------------------|---|
| 1. | WSCC Highways                       | No objection  |
| 2. | CBC Drainage Officer                | No objection  |
| 3. | CBC Environmental Health            | Objection to increase in opening hours. No objection to the workshop subject to conditions. |
| 4. | CBC Planning Arboricultural Officer | No objection  |

**NEIGHBOUR NOTIFICATIONS:-**

62A Ewhurst Road;  
Stevenswood Trade Centres Ltd Warwick House;  
The Oasis Crisis Pregnancy Centre Charity 8 Reynolds Place;  
UK Tax Refund Ltd First Floor 9 Reynolds Road;  
53, 61, 65 to 73 (odd Nos), 88, 92, and 96 to 100 (even Nos) Deerswood Road;  
Notemachine UK Ltd 62-64 Ewhurst Road;  
6 and 9 Reynolds Place;  
UK Tax Refund Ltd 9 Reynolds Road;  
West Green Pottery 7 Reynolds Place;  
Gatwick Computers 5 Reynolds Road;  
4 Cottonwood Close;  
6 Thornhill;  
58 The Dingle;  
21 Adamson Court;  
35 Craven Road;  
12 Tatham Court;  
11 Ailsa Close;  
4 Newlands Road;  
1 Laws Close;

84 Wimbourne Avenue.

### **RESPONSES RECEIVED:-**

6 representations have been received from the occupiers of 4 properties raising concerns relating to:

- noise and activity,
- pollution,
- parking and traffic issues,
- damage to the road surface,
- additional hours will add to these problems,
- privacy,
- query need for further garage facilities,
- garage is not adhering to permitted opening hours.

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

- 1.1 The application site is a vehicle repair workshop and yard located on the eastern side of Reynolds Road, in the neighbourhood of West Green. It is currently occupied by T & N Mots Ltd, and has been occupied by ATS EuroMaster in the past.
- 1.2 Within the site there is a full height workshop building, with 2 vehicle bays and hoists (located centrally on the land) with a store area, kitchen area and delivery area to the rear (south). There is an attached single storey building housing a workshop area (1 vehicle bay) and a small office located along the eastern boundary in the north east part of the site. The footprint of the buildings is broadly an 'L' shape, with the open yard which serves as the main customer entrance facing onto Reynolds Road.
- 1.3 Signs at the site indicate that the vehicular services offered are MOT's, tyres, servicing, diagnostics, brakes and exhausts. The company website states hours are 8.30am – 5.30pm Monday – Friday and 9.00am – 1pm Saturdays
- 1.4 To the east of the site are the shops forming the local shopping parade at West Green, with flats above and which front onto Ewhurst Road. Between the site and the shops there is a double courtyard of garages. To the immediate north lies the residential dwelling 67 Deerswood Road, whose southern boundary adjoins the site. Opposite the site, to the west, is 65 Deerswood Road, whose side garden boundary runs along Reynolds Road. Further along the western side of Reynolds Road is a garage courtyard and then the rear gardens of properties in Deerswood Close.
- 1.5 To the immediate south, there is the entrance access into one of the 2 nearby courtyards of garages. To the south side of this access is Warwick House (occupied by a glazing company), then there is CAW Fitness at no.20, and next to that is A1 Tyres in Oulds Yard. An access to the south of that leads past Jack Frost Tackle shop and round to a further (2nd) courtyard of garages at Reynolds Place, which backs onto the shops.

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

- 2.1 The application is to demolish the existing single storey workshop towards the northern end of the site and rebuild it to an increased height (2 storey), to match the main workshop building.
- 2.2 As initially submitted the application also included an extension to the opening hours to allow for an additional hour on weekday evenings, up to 18.30pm. However, following concerns expressed by officers and particularly given a previous refusal for longer opening hours, this aspect of the application has been deleted from the scheme.
- 2.3 The existing premises are part 2 storey and part single storey, which are all flat roofed. The workshop area to be rebuilt is currently single storey at 1.9m high and the proposal is to rebuild it and increase its height to 4.5m so that it matches that of the existing 2 storey workshop, with both being slightly lower than the attached 2 storey office building at the far southern end of the site which is 5.2m in height. The existing smaller single storey office area at the far northern end of the site is to remain and is 1.9m high.

- 2.4 The new workshop area would be able to accommodate 2 vehicles for servicing/repair and a roller shutter door is proposed for the front elevation. No new floorspace is being created.

## **PLANNING HISTORY:-**

### **Application site - 9 Reynolds Road**

- 3.1 **CR/212/69** – Change of Use from office and stores to office, stores and workshop – permitted

*Condition 1 - No machinery shall be used on the site:*

*(a) At any time on Sundays or Bank Holidays.*

*(b) Before 8.00 nor after 5.00 on Mondays to Fridays inclusive*

*(c) Before 8.00 nor after 1.00 on Saturdays*

*Reason: in order to maintain control over the use of the premises.*

The application form indicates that the proposed use was for use to a glazier's offices, stores and workshop. Other conditions were imposed to control the use to light industrial, office and storage, and requiring provision for the parking for 4 vehicles on site.

- 3.2 **CR/639/89** – To amend hours of operation on Mondays to Fridays to 8.30am to 5.30pm – this application was permitted, with no conditions. The application was for ATS Southern Limited.
- 3.3 **CR/2004/0565/NCC** – Extension of Saturday opening hours from 1pm to 5pm – application withdrawn. The application was for ATS EuroMaster.
- 3.4 **CR/2017/0396/NCC** - Variation of planning permission CR/639/1989 to amend the opening hours (Monday to Friday 8:30am to 7:30pm and Saturday 9am to 5pm) – withdrawn. The applicant was T&N MOTs.
- 3.5 **CR/2017/0766/NCC** - Variation of planning permission CR/639/1989 to amend the opening hours (Monday to Friday 8:00am to 6:30pm and Saturday 8:00am to 4:00pm and at no time on Sundays and Bank Holidays). Refused for the following reason:

*1. The proposed variation of planning permission CR/639/1989 to amend the opening hours (Monday to Friday 8:00am to 6:30pm and Saturday 8:00am to 4:00pm and at no time on Sundays and Bank Holidays) would result in increased noise and disturbance to the detriment of the residential amenities of the occupiers of nearby dwellings. The proposal is this contrary to policies CH3, EC4, EC8 and ENV11 of the Crawley Borough Local Plan 2015 – 2030.*

### **A1 Tyres, Oulds Yard, Reynolds Road**

- 3.6 **CR/2008/0691/COU** – Retrospective charge of use of part of yard to provide hand car wash and valeting bay – permitted.

*Condition 1. No machinery in connection with the car valeting use shall be operated on the premises except between the hours of 8.00am and 6.30pm Monday to Friday and 9.00am to 1pm on Saturdays and at no time on Sundays and Bank Holidays without prior written consent of the Local Planning Authority.*

*Reason: In the interests on the amenities of neighbouring residents in accordance with saved policy GD1 of the Crawley Borough Local Plan 2000.*

The file indicates that the car wash and valeting was retrospective, having been in use since 2002. The existing use of the site was maintenance of taxi and private hire vehicles. The industrial use was permitted in the 1960s but the valeting use was considered to be sui generis and so required permission.

- 3.7 **CR/2009/0039/FUL** – extensions for tyre fitting bay/workshop and hand car wash shelter – permitted. Part implemented - car wash erected, extension to workshop not erected.

*Condition 2. Machinery in connection with the approved use shall be limited to use between the hours of 8.00am and 6.30pm Monday to Friday and 9.00am to 1pm on Saturdays and at no time on Sundays and Bank Holidays without prior written consent of the Local Planning Authority.*

*Reason: In the interests on the amenities of neighbouring residents in accordance with saved policy GD1 of the Crawley Borough Local Plan 2000.*

The file indicates that the existing building was used for the storage of materials and tools, and an area of yard to the front of the building was used for maintenance and repairs of vehicles. The proposal would this enclose activities which currently took place within the open yard. An appeal was lodged to vary the condition to longer hours. This was dismissed. The Inspector considered that a condition controlling the use of machinery was both reasonable and necessary to protect the living conditions of the people closest to the site. He also had no evidence before him to support the statements that the noise of a compressor could be limited and that the buildings proposed would help reduce existing noise.

### 3.8 **CR/2015/0303/FUL** – extension to workshop – permitted and implemented.

*Condition 5. Machinery in connection with the approved use shall be limited to use between the hours of 8.00am and 6.30pm Monday to Friday and 9.00am to 1pm on Saturdays and at no time on Sundays and Bank Holidays without prior written consent of the Local Planning Authority.*

*Reason: In the interests on the amenities of neighbouring residents in accordance with saved policy GD1 of the Crawley Borough Local Plan 2000.*

The application was for an extension to the workshops to enclose the present open area of the yard and the plans show 2 vehicle bays within it. It was considered that the creation of an enclosure around the open working yard would reduce noise and light spillage to the benefit of the occupiers of nearby homes. The west elevation (facing onto Reynolds Road) would have a roller shutter door.

The premises do not have a website, but a Google search shows hours as 9am – 6pm.

## **PLANNING POLICY:-**

### 4.1 National Planning Policy Framework – 2019 (NPPF)

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. In achieving this the planning system has three overarching objectives which are interdependent and need to be secured in mutually supportive ways. These are an economic objective, a social objective and an environmental objective. At the heart of the Framework is a presumption in favour of sustainable development.

Relevant paragraphs are:

- Paragraph 11: presumption in favour of sustainable development – this means that development proposals that accord with an up – to –date development plan should be approved without delay.
- 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 6 – ‘Building a strong, competitive economy’ emphasises the need for the planning system to help create conditions where businesses can invest, expand and adapt in order to support the need for economic growth and productivity. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 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 – decisions should prevent new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels of pollution including air and noise. Potential adverse impacts on health and quality of life are to be taken into account. In respect of noise, decisions should mitigate and reduce to a minimum potential adverse impacts and avoid noise giving rise to significant adverse impacts on health and quality of life. Decisions should ensure new development can be integrated effectively with existing businesses, which should not have unreasonable restrictions placed upon them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse impact on new development in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.

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

**Policy SD1:** Presumption in Favour of Sustainable Development - The Council will take a positive approach, in line with the planned approach to Crawley new town, to approving development which is sustainable and work proactively with applicants, stakeholders and other partners to find solutions. Development will be supported where it meets strategic objectives including becoming carbon neutral and addressing climate change; complementing the town’s compact character and neighbourhood principles; respecting heritage; protecting and enhancing Green Infrastructure; creating a safe environment; providing for social and economic needs; and according with the Plan’s policies and objectives.

**Policy CH2:** Principles of Good Urban Design - Proposals must support locally distinctive development patterns, landscape character and heritage; create defined frontages and public/private areas; create safe and attractive routes for all; connect places for people and integrate land use and transport; provide recognisable routes and landmarks; consider flexible development which responds to changing needs; provide diversity and choice to create viable places and meet local needs.

**Policy CH3:** Normal Requirements of all New Development - Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by Design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking.

**Policy EC1:** Sustainable Economic Growth - This policy supports Crawley’s role as the key economic driver for the Gatwick Diamond area and supports business growth. The policy seeks to ensure that Crawley’s recognised economic role and function is maintained and enhanced. All suitable opportunities to enable existing and new businesses to grow and prosper should be fully explored.

**Policy EC4:** Employment Development and Residential Amenity – proposals for the development of sites for employment use adjacent to residential areas will be permitted where there is no adverse harm to local amenity or the function of the surrounding area.

**Policy EC8:** Neighbourhood Centres – In addition to neighbourhood parades, most neighbourhood centres provide floorspace that contributes to the town’s wider employment function. These areas continue to be recognised as sustainable locations for smaller-scale employment uses, and economic development proposals will be supported where they meet policy requirements of CH3, EC1 and EC4.

**Policy ENV11:** Development and Noise - seeks to protect people's quality of life from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses will not be exposed to noise impact that will adversely affect the amenity of existing users.

**Policy IN4:** Car and Cycle Parking Standards – proposals need to provide the appropriate level of parking, as set out in the Urban Design SPD and will be based on the particular usage of the premises and the accessibility of that area by sustainable transport modes

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

The Local Plan Review Submission Consultation draft 2021-2037 has been published for Regulation 19 consultation on 6 January 2021 until 30 April 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 DD1: Normal Requirements of All New Development.
- Policy EC1: Sustainable Economic Growth.
- Policy EC11: Employment Development and Residential Amenity
- Policy EC12: Neighbourhood Centres
- Policy EP4: Development and Noise.
- Policy ST2: Car and Cycle Parking Standards.

#### 4.4 Urban Design SPD – Adopted October 2016

This document provides further advice on the principles of good urban design in the Crawley context, highlighting in particular the importance of massing and materials, public realm, street design and parking and sustainable design.

In respect of non-residential development, para 3.62 states:

*“The layout of non-residential development is particularly important to their success. This should address the street and the public realm in a considerate manner and not turn their back on the existing streetscape and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric. Active frontages are particularly important to the vitality of the streetscape and the success of commercial and retail uses and should be incorporated within the design from the start”.*

For industrial and commercial development consideration should be made of appropriate materials, colours and massing to improve the architectural language (as buildings are often designed functionally with little architectural merit). Greater consideration of the layout of the buildings to the street is encouraged along with opportunities to improve the urban environment and use of landscaping.

Annex 1 of the SPD contains the Borough's indicative minimum parking standards.

### **PLANNING CONSIDERATIONS:-**

#### 5.1 The key issues are:

- the principle of the development
- noise and disturbance and the impact on the residential amenities of the occupiers of nearby dwellings

- traffic and parking
- impact on the visual amenities of the locality and on the residential amenities of the occupiers of nearby dwellings
- trees.

### The principle of the development

- 5.2 The vehicle repair business is well established on this site and the rebuilt workshop would allow it to offer an enhanced service for customers, allowing it to consolidate and generate additional income for the business. Policy EC1 would therefore offer support for the proposal. It is also important that planning decisions are consistent and proportionate with regard to other similar businesses in the area.
- 5.3 However, this has to be weighed against the specific context of each particular site and business and the impact on surrounding neighbours and other planning issues as set out in policies CH3, EC4, EC8 and ENV11. These are considered in more detail below.

### Noise and disturbance and the impact on the residential amenities of the occupiers of nearby dwellings

- 5.4 The site is in very close proximity to residential dwellings and it is clear from the planning history for both this site and a similar nearby business that these vehicle repair related uses need careful consideration in respect of the impact they have on residential amenity. The Local Planning Authority has therefore previously sought through the detail of the applications and the imposition of appropriate hours of working conditions on both sites to protect the living environment for residents.
- 5.5 The 5 commercial properties in Reynolds Road are located in very close proximity to the surrounding residential dwellings in Deerswood Road, Deerswood Close and Reynolds Road, and the flats above the shops in Ewhurst Road.
- 5.6 The application site immediately adjoins no. 67 Deerswood Road to the north, with the rear garden fence of no.67 forming the joint northern boundary. No.65 lies to the west on the other corner of the junction of Deerswood Road and Reynolds Road and the side boundary of its rear garden is opposite the application site entrance, yard and buildings.
- 5.7 The open yard area is at the front of the site and the openings of the buildings on the application site face west and north, and so face towards no.s 65 and 67 Deerswood Road. The main 2 storey workshop has a roller shutter door and the single storey workshop has a sliding door. At the time of the case officer's site visits and from looking at various images from Google maps the workshops doors are open during business hours.
- 5.8 The existing hours of use on the site accords with usual business hours for premises in close proximity to residential dwellings. It is noted that complaints have been received about the operation of the business as existing and Environmental Health have had significant concerns about the extension of hours, namely an earlier commencement time and later finishing time on weekdays and a later finishing time on Saturdays, both for this current application and for the earlier refused application CR/2017/0766/NCC. This vehicle repair business, by its very nature can give rise to noisy and disruptive activities from the use of machinery and equipment, together with that from parking and deliveries. It was considered that the additional hours of use as initially proposed would have increased the duration of noisy activities emanating from the site.
- 5.9 The applicant was advised of these concerns and this aspect (opening hours) was deleted from the application. Thus the proposal now solely relates to the rebuilding of the smaller workshop area.
- 5.10 In this regard the overall footprint of this part of the building is not changing, and this area of the site is already in use as a workshop and store. The internal layout of this area would change, so that the workshop area itself have a larger floorspace, to accommodate 2 vehicles, with a consequent reduction in the store area. The increase in height to this part of the building from 1.9m to 4.4m would facilitate the installation of a ramp/lift. Environmental Health have no objections subject to a condition requiring a dust management scheme during demolition and construction, plus a condition

preventing the use of power tools or working on vehicles externally, so that all work is undertaken inside the workshop. The hours of use condition should also be reimposed.

- 5.11 The close proximity to residential dwellings is acknowledged, as are the concerns expressed by neighbours about the expansion of the business. However as this part of the building already is a workshop and the increase in capacity would be one additional vehicle, it is considered that subject to conditions to control the use as set out above, the revised proposal to rebuild the workshop would not give rise to a level or nature of activity from the premises that would substantiate refusing permission in this case.

#### Traffic and parking

- 5.12 The site has a small open yard area to the front of the buildings which can accommodate a limited number of customers' cars when they are not in the workshops. Reynolds Road has no parking restrictions and whilst there is a level of car parking taking place along this part of the road associated with the commercial businesses, spaces are available in the vicinity.
- 5.13 WSCC Highways have commented that the building footprint would remain the same and as such it is not anticipated to generate an increase in traffic. WSCC *'does not consider that this proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network, therefore it is not contrary to the National Planning Policy Framework (paragraph 109), and that there are no transport grounds to resist the proposal'*.
- 5.14 Given that there would be no overall increase in floor space and this part of the premises is already in use as a workshop, it is not therefore considered that the proposed works, which would accommodate one additional vehicle would exacerbate the parking situation in the locality to such an unacceptable degree so as to justify a refusal on this basis and as such would not conflict with policy IN4.

#### Impact on the visual amenities of the locality and on the residential amenities of the occupiers of nearby dwellings

- 5.15 The form and design of the rebuilt workshop would match that of the main 2 storey workshop part of the premises and would be constructed of matching materials comprising white render with a flat roof and a roller shutter door. The attached 2 storey office building is brick built, as is Warwick House to the south. Further along Reynolds Road the buildings are a mixture of brick and metal cladding.
- 5.16 It is considered that the appearance of proposal would be sympathetic to the existing premises and would not be out of keeping in the locality. The rebuilt workshop would be set back from the highway as this portion of the site is to the rear (east) of the site and overall it would be read as an integral part of the premises. The proposal is considered to be in accordance with policy CH3 and would have a satisfactory impact on the visual amenities of the locality.
- 5.17 With regard to the impact of the built form of the new workshop on neighbouring properties, the dwelling most affected would be 67 Deerswood Road, which lies to the north of the site. Its existing garden is 16 – 17m long, with the boundary fence abutting the application site. The proposed rebuilt workshop would be set away from the boundary by 3.3m, as the existing single storey office structure will remain. The separation distance between the rear elevation of no.67 and the new side wall of the workshop will be 21m, and no openings are proposed on the side (north) elevation. Whilst it is set to the south of no.67 and there would be an increase in height to 4.5m, given the separation distance and the existing relationship between the two properties, it is not considered that the development would give rise to a material overbearing impact, loss of sunlight or loss of privacy. Similarly in respect of the relationship with the other dwellings to the east along Deerswood Road, there would be greater separation distances and so there is not considered to be an adverse impact.
- 5.18 The dwellings to the west of the site in Deerswood Road and Deerswood Close are separated from the site by Reynolds Road itself and due to the distances between the site and these houses



(ranging from 27m up to 58m) and the orientation, it is not considered that there would be an overbearing impact or loss of privacy, sunlight or outlook.

- 5.19 To the immediate east of the site are the courtyards of garages and so the dwellings above the shops in Ewhurst Drive are some 50m away. To the south are the other commercial buildings in Reynolds Road, and the extension would be set to the northern part of the site.
- 5.20 In these circumstances it is considered that there would be a satisfactory relationship between occupiers and the proposal is considered to be in accordance with policy CH3 in this regard.

### Trees

- 5.21 There is a row of trees in the rear gardens of the properties in Deerswood Close that back onto this site and that slightly overhang the existing premises. They are not the subject of a Tree Preservation Order.
- 5.22 The Arboricultural Officer has been consulted on the proposals and does not consider that there would be an unacceptable relationship between the trees and the workshop, as due to the nature of the use there would not be the same pressures for works to the trees as there might be with a residential extension, for example, due to concerns about shading, leaf fall etc. He considers that it would be possible to prune the branches back sufficiently where they overhang to allow the construction of the workshop without causing harm to the health or amenity of the trees. The pruning of overhanging branches is possible in any event under common property rights. The trees would be separated from the workshop by the single storey office area, which is to remain and is not part of these proposals.
- 5.23 In these circumstances it is not considered that the proposals would have an adverse impact on the health or visual amenity of the trees, nor would there be an unacceptable relationship between the trees and the workshop. The proposals are acceptable in this regard in relation to policy CH3.

### **CONCLUSIONS:-**

- 6.1 The proposals would provide for enhanced facilities for this established business and thus Policy EC1 would offer support for the proposal. The close proximity to dwellings, the existing parking situation and the concerns expressed by nearby residents are acknowledged but given the existing commercial activities already undertaken from the site and the small scale nature of the scheme, together with the ability to impose conditions to control the use, it is not considered that the development would result in an additional level or nature of activity from the premises that would be materially harmful. The design of the proposal and its relationship with the neighbouring dwellings and the trees is considered to be satisfactory.

### **RECOMMENDATION RE: CR/2020/0313/FUL**

**PERMIT** - subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and finishes of the external walls (and roof(s)) of the building(s) hereby permitted shall match in colour and texture those of the existing building(s).  
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No machinery shall be used on the site:

- (a) At any time on Sundays or Bank Holidays.
- (b) Before 8.30 am nor after 5.30pm on Mondays to Fridays inclusive
- (c) Before 8.00 am nor after 1.00 pm on Saturdays

REASON: In the interests on the amenities of neighbouring residents in accordance with saved policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

5. Vehicle repairs or use of power tools shall only take place within existing / approved buildings and there shall be no outside working.

REASON: In the interests of the amenities of the locality in accordance with Policy CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030.

6. Prior to commencement of demolition activities, a dust management scheme to minimise the impact of dust from the demolition activities on surrounding businesses and residents shall be submitted to the Local Planning Authority for approval. Construction and demolition activities shall not commence until such a scheme has been approved by the Local Planning Authority and the approved measures are fully implemented in accordance with the scheme. Once demolition has commenced the scheme of measures shall be maintained in accordance with the approved details during the period of demolition.

REASON: In the interests of amenity and in accordance with policies CH3 and ENV10 of the Crawley Borough Local Plan 2015 - 2030.

This condition is to be required pre-commencement as it relates to how the building work will be managed during construction.

#### INFORMATIVE(S)

1. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours that noisy works are permitted.

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

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

With no noisy construction works taking place on Sundays, bank holidays, public holidays, Christmas day, Boxing Day or New Years' day.

The developer shall at all times employ best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'. Any exemptions to the above hours must be agreed with The Environmental Health Team in advance.

The applicant must make all contractors and subcontractors aware of these times.

#### NPPF Statement

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

- Liaising with members/consultees/respondents/applicant/agent and discussing the proposal where considered appropriate and necessary during the course of the determination of the application.
- Seeking amended plans/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



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

1:500

