

REFERENCE NO: CR/2018/0064/FUL

LOCATION: [LAND PARCEL, BROADWOOD RISE, BROADFIELD, CRAWLEY](#)
WARD: Broadfield
PROPOSAL: ERECTION OF PRIMARY SCHOOL WITH ASSOCIATED PARKING AND LANDSCAPING (AMENDED DESCRIPTION AND AMENDED PLANS RECEIVED).

TARGET DECISION DATE: 20 July 2018

CASE OFFICER: Mr M. Robinson

APPLICANT'S NAME: Jamiat-UI-Muslemeen Quwat-UI-Islam Masjed

AGENT'S NAME: Inspire Planning Solutions Ltd

PLANS & DRAWINGS CONSIDERED:

Drawing Number	Revision	Drawing Title
060-001	C	Site Location & Block Plan
060-099	G	Site Plan
060-100	H	Proposed Partial Basement Floor Plan
060-101	L	Proposed Ground Floor Plan
060-102	G	Proposed First Floor Plan
060-200	F	Elevations In Context (Front & Side)
060-201	G	Proposed Elevations (Rear & Side)
060-202	D	Cross Sections
BD-002	A	Site Plan Showing Trees & Area of Loose Tarmac

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. GAL Aerodrome Safeguarding
No objection – An informative in regard to the operation of cranes is recommended.
2. WSCC Highways
No objection – Local junctions would operate within capacity and the development would operate safely as regards its impact on users of the highway. The 38 spaces to be provided would be adequate to mitigate the 60 that would be displaced by the loss of the car-park by the existing Mosque use provided the school is closed Friday afternoons. A S106 is required for a Traffic Regulation Order to restrict parking on Jersey Road and conditions requiring the provision of the access, car-parking, a car-park management plan, a travel plan, cycle parking and a construction management plan are required. Informatives relating to undertaking works to the highway and the provision of signage during implementation are recommended.
3. National Air Traffic Services (NATS)
No objection.
4. Thames Water
No objection as regards the impact upon foul and surface water infrastructure.

5.	Police	No objection in regard to crime prevention. The applicant has been requested to discuss secured by design and counter terrorist measures in relation to the site and the underground car-park.
6.	Horsham District Council	No objection – Comments that Highways and school catchment areas to be considered in conjunction with WSCC.
7.	CBC Drainage Officer	Objection –The Surface Water Drainage Strategy Statement does not provide evidence that the surface water drainage can be implemented that would provide a suitable approach to flood risk.
8.	CBC Planning Arboricultural Officer	Objection – The location of the school without a 15m buffer would to the west would to conflict with the adjacent Ancient Woodland requiring at least one tree to be reduced and ongoing future pressure for works to trees in the future. The loss of the protected trees on the site would not be compensated for by the replacement planting in the confined space proposed.
9.	CBC Environment Team	No comment received
10.	CBC Environmental Health Officer	No objection. An informative regarding working hours for implementation is recommended.
11.	Crawley Cycle & Walking Forum	Comments that the 15 cycle spaces shown on the ground floor are an improvement on the original cycle parking that would have been in the underground car-park. It is difficult to identify the actual cycle parking requirement and that more space than currently provided maybe needed to meet the requirements for 1 per 20 staff Students; 1 per 10 students to comply with LTN1/20. There is no provision for scooter parking/non-standard adaptable cycles, due to the cramped character of the site. Clearing footways in the area of vegetation would be a useful and low-cost improvement. The Transport Consultant has an over-optimistic view of cycle facilities in the area, and it is unaware of any new cycle infrastructure being provided near the site since the previous comments.
12.	The Woodland Trust	No comments received.
13.	Southern Water Ltd	No objection to the provision of water to the development. Has provided details of the location of mains water supply and commented that the planting of trees and erection of buildings within 6m of the water mains would be restricted and subject to their control to protect existing water assets.
14.	CBC Energy Efficiency & Sustainability	No objection subject to conditions to require the provision of sustainability and water saving measures.
15.	WSCC Lead Local Flood Authority	No objection – The sustainable drainage system to be reviewed by the Borough Council.
16.	CBC Countryside & Open Space	No comments received.
17.	Ecology Officer	No comments received.
18.	WSCC Fire & Rescue	Comments – Details required to “ <i>ensure the Fire Service has adequate vehicle access to the property, sufficient area to operate and can gain access to the school with firefighting hoses and equipment from the appliance to attend any incident anywhere within the school.</i> ” Aisle parking in the underground car-park would be a fire risk and would not be acceptable.

NEIGHBOUR NOTIFICATIONS:-

The application was originally advertised by site notices erected on the site and advertisements published in the local press in April 2018.

After the receipt of additional information, amended plans and a changed description, further consultations were undertaken with additional site notices posted on the site on 22nd June 2021, re-consultations with consultees undertaken on 22nd June 2021 and the public that had previously responded to the application re-consulted on 24th June 2021. The consultation period finishes on 13th July 2021. Any representations received after this report is published will be verbally updated to the committee.

RESPONSES RECEIVED:-

There have been a significant number of representations received for this application. Anonymous representations have not been included. They are set out below by when they were received and therefore whether they were in response to the proposal as originally submitted or the amended plans now being considered.

Representations in regard to the application as originally submitted

Objections from 64 households on the following grounds:

Highways and parking

- Parking impacts on the area and residents.
- Congestion.
- Danger from increased traffic and existing safety issues from Mosque traffic will be made worse.
- Emergency vehicles will not be able to access the area due to congestion and parking.

Neighbour Amenity

- Increased noise and antisocial behaviour.
- Noise from children.
- Increased litter.
- Increased pollution particularly from vehicles.

Character of the Area

- Site too small for all the uses and the development proposed.

Ecology and Trees

- Detrimental to local environment and views of the trees.
- Harmful to wildlife.
- Impact on Target Hill nature reserve.
- Harm to area from loss of protected trees.

Impacts on existing infrastructure

- Will waste water infrastructure cope with impact of development.
- Increased water run-off and flooding.

Other

- Religious schools cause segregation.
- Will increase tension in the area.
- No need for shop as close to Broadfield and Bewbush neighbourhood centres.
- Another school is not needed and will adversely impact upon the 6 other schools in the area.
- Will draw more people into the area from outside Crawley.

Comment:

- Crawley Borough Council should allocate land elsewhere in a commercial area for the school.
- The application form is filled in incorrectly.

Representations were also received from The Collegiate Trust and the Bewbush Academy objecting to the proposals on the following grounds:

- The Collegiate Trust: - There are spaces available in local schools. A “free school” would have an effect on neighbouring Crawley schools and children in their care. Concerns that the faith school could lead to children of different faiths/backgrounds being segregated from each other leading to a more fractured society.
- Bewbush Academy - In 2018 six school close to the site have 139 spaces available in reception for the 2018-2019 year. The spare capacity is due to increase with the opening of the school in Kilnwood Vale. Vacancies in existing schools puts pressure on budgets. No clear need for additional school places in the next 5 years. A “free school” would be likely to have a significant damaging effect on neighbouring Crawley Schools.

Support from 102 households on the following grounds:

- Good for Muslim children and community more widely.
- Will stop children having to be sent away as far as potentially Nottingham/Bradford for a religious education.
- Will meet local need for more school places.
- Encourage diversity.
- Increase employment.
- Underground parking will help with Mosque parking.
- Problems with parking are only on Fridays when nearly 1000 people attend prayers in general parking will be benefit to all visitors to Mosque/school.
- Currently between 200-300 hundred children attending evening class at the Mosque with no parking issues.
- No impact on roads.
- Adjacent streets have adequate capacity to be used at opening and closing times for the school.
- Attractive development that will fit in with existing Mosque and the street scene.
- Acceptable impact upon the environment.
- Benefit of school will outweigh harm to trees.
- Trees on site don't have environmental value.
- Would make a good use of the space.
- Increased nursery provision would make up for shortage of places.
- Positive impact upon house prices.
- Would make Crawley a more appealing place to live.
- Only fair for there to be an Islamic faith school in Crawley when there are other faith schools in the town. This includes representations received up until the most recent consultation.

Representations in regard to the amended application

Objections from 40 (as of 9th July 2021) households on the following grounds:

Highways and parking

- Existing issues from parking associated with the Mosque including, damaged verges, obstructed pavements, obstructed visibility, blocking private accesses, parking in residential areas will be made significantly worse by the introduction of the school and the loss of the overflow car-park.
- Increased congestion.
- Increased risk to highway safety from increased numbers of cars, the access point for the underground car-park and the increased parking in the area.
- Increased congestion and parking will lead to obstructions for emergency vehicles.
- Harmful impact from increased activity of users of the bridle way along Jersey Road/Broadwood Rise.

Neighbour Amenity

- Loss of light/overshadowing.
- Loss of privacy from overlooking from building and increased activity on the roads etc.
- Building works will be disruptive to neighbours.
- Increased noise from increased activity and children at the school.
- Issue with lights from headlights from cars exiting the underground car-park shining straight into neighbours houses.
- Increased pollution from additional cars.

- Concerns that there will be increased litter.

Ecology and Trees

- The close relationship of school to Target Hill Nature reserve will have adverse impact on wildlife and trees.
- Damage to the Target Hill woods from construction activity.
- Loss of the protected trees and harm to ecology that would result.
- The replacement trees would not mitigate the harm from the loss of the protected trees.
- The Mosques previous failures to protect the trees on site or comply with hedge planting conditions previously does not augur well for future compliance with conditions.

Character of the Area

- Cramped site is not large enough to accommodate the use.
- Harm to the character of the area.

Impacts on existing infrastructure

- No need for an additional primary school when others in the area are undersubscribed.
- Loss of pupils from nearby schools would reduce their funding to their detriment.
- Concern that waste water infrastructure will not cope.
- Concern that the proposal could lead to increased surface water run-off.

Other

- Additional parking stress on the streets in the area could lead to increased anti-social behaviour.

Issues not related to planning included:

- The impact upon house prices.
- The potential impact upon the reputation of Broadfield.
- The Mosque and school should be more integrated into the area rather than separating themselves off.

An objection has also been received from the Kemnal Academies Trust that has five primary and one secondary academies in Crawley, on the basis that: The Bewbush Primary Academy (1.3 miles), Broadfield Primary Academy (1.2 miles), and Seymour Primary School (0.5 miles), have capacity to increase their pupil numbers and within Crawley as a whole there are 13% surplus school places, well above the DfE recommended 5-10%. Additional primary school places are not needed and building a new school on the proposed site will have a negative impact on the ongoing viability of the existing schools. It also supports the current system that thoroughly integrates all pupils, "leading to a harmonious society in which families of different cultures mix, respect and understand each other".

West Sussex County Council as the Local Education Authority has commented that:

"There are currently seven forms of entry available in the lowest year group (YR) in publicly funded primary schools in the Borough of Crawley, with two of these forms of entry (60 places) available in Broadfield. Surplus places of 13% in Crawley are higher than the recommended threshold suggested by the Department for Education of 5 – 10%. WSCC are therefore not supportive of the introduction of any further new primary school in the area which could detrimentally impact on the numbers of pupils in neighbouring schools particularly as Warninglid Primary relocates to a new school building in Pease Pottage in September 2021 and will be known as Woodgate Primary. WSCC do however recognise it is a legitimate choice of parents to send their children to independent schools (registered with the Department for Education). Independent schools operate outside the authority of the County Council and are monitored and reviewed by central government and the Independent Schools Inspectorate. WSCC is not aware of a Free School application round currently being available."

Support from 152 (as of 9th July 2021) households on the following grounds:

- Good for and needed by Muslim community.
- Significant benefit to local children to have a local Islamic Faith School rather than traveling significant distances to one.
- It won't cause problems for neighbours.
- It helps to meet a need for more school spaces.
- There will be adequate parking as the main Mosque parking is little used except Fridays, festivals/special occasions.
- Parking and drop-offs/pick-ups will be managed.
- Good environment for a school close to the woods.
- Important to have places that respect cultural and religious backgrounds.
- It would reduce discrimination and increase community cohesion.
- It would reduce inequalities in the Crawley education provision.
- It would create more jobs and be an economic boost to the area.
- Forty new trees would improve the relationship to the woodland.
- The building and site would be appropriate with the mosque and the wider area.

Representations from a further 30 households did not include any comments but have 'No objection' to the proposals.

REASON FOR REPORTING TO COMMITTEE:-

This is a "major" application for a building with a floor-space of greater than 1000 sqm and the number of representations received.

THE APPLICATION SITE:-

- 1.1 Located on the south-west corner of the roundabout junction of Broadwood Rise and Jersey Road, the site is currently used as an overflow car-park for attendees of the adjacent Mosque to the south.
- 1.2 The area rises steeply from the north to the south and there is an increase in height of approximately 3.5m between the ground level of the Jersey Road to the north and the level of the Mosque to the south. The site (identified as Ancient Woodland), has been predominantly cleared of trees, and except for the boundaries, is laid with road scalplings to provide space for the parking of vehicles. The centre of the site rises from the boundaries with the Council owned Ancient Woodland to the west, Jersey Road to the north and Broadwood Rise to the east, with approximately 3-4m of the site around the edges of the site not laid to hardstanding and more steeply sloped. These areas are not used for the parking of cars. There are six trees still on site, one of which is in poor condition and appears to have suffered from fire damage at its base. (Tree Preservation Order, Broadwood Rise No.2, Ref. 16.13.19). Hardstanding has been laid up to the trunks of the trees. Another protected tree close to the mosque is now only a stump. Access is from Broadwood Rise, towards the southern boundary of the application site, close to the Mosque.
- 1.3 There is a 1.8m high close link chain fence around the boundaries with Jersey Road to the north and Broadwood rise to the east. The boundary with the Council owned Ancient Woodland and nature reserve to the west is a 2m high close boarded fence. The site is open to the Mosque to the south.
- 1.4 The Mosque is a two storey purpose built religious building with a large dedicated tarmac car-park to the south. Along its boundaries with Broadwood Rise to the east and along approximately 10m of Hobbs Road to the south is a brick wall topped with piers and railings. Further to the south, the boundary with Hobbs Road is formed of 2m high timber screens with shrub/hedge planting within the site. Its western boundary is a continuation of the 2m high close-boarded fence that runs along the western boundary of the application site.
- 1.5 To the north of the site is Jersey Road (dual width carriageway), and to the north and north-west of this are a number of residential streets laid out as cul-de-sacs with two storey housing. To the north-east is the roundabout junction for Broadwood Rise and Jersey Road. North of this along a short stretch of dual width carriageway is the Pelham Drive roundabout junction.

- 1.6 To the east of the site on the opposite side of Broadwood Rise, is an area of Council owned land around Creaseys Brook that is also designated as ancient woodland. Immediately to the west and adjoining the site is Target Hill Nature Reserve (THNR), also Ancient Woodland. There is public access to this NR from Jersey Road adjacent to the north-western boundary of the site.
- 1.7 South of the Mosque and rising up towards Target Hill further to the south is two storey housing.
- 1.8 Except for the Mosque, and the areas of Council open space/Target Hill the area has a residential character of predominantly two storey houses of various types, all built towards the end of the C20th.
- 1.9 The following documents/information were submitted with the application:
 - Surface Water Drainage Strategy Statement;
 - Energy and Sustainability Statement;
 - Tree Survey;
 - Arboricultural Assessment;
 - Design and Access Statement;
 - Transport Statement;
 - Travel Plan.

Further Information provided by the applicant includes:

- Technical notes 3 and 4;
- Road Safety Audit and designers response;
- Arcady modelling for Jersey Road mini roundabout;
- Travel Plan revision A;
- Mitigation drawing ref J905/mitigation/fig 1;
- Landscape Design Statement.

THE PROPOSED DEVELOPMENT:-

- 2.1 This planning application (as amended) seeks permission for a two storey primary school, with external playing area and underground car park. The envisaged capacity is for 180 pupils with 27 teaching staff. The total floor area of the building would be 890sq m, and the floor space including the underground car-park would be 1860sq m. A new vehicular site access into the proposed underground car park would be provided from Jersey Road to the north.
- 2.2 Notwithstanding the information in the Design and Access statement, the application has been submitted privately by the Jamiat-UI-Muslemeen Quwat-UI-Islam Masjed and not by or with the support of the Department of Education or West Sussex County Council (WSCC).
- 2.3 The school building would be situated towards the western side of the site close to the Ancient Woodland on Target Hill. The finished ground level over the whole site would be raised to be approximately level with that of the Mosque. This would involve a significant increase in the height of land towards the northern boundary with the building and play area above this and the new car park below. The plans indicate that the land level would be raised by approximately 2.6m. An area of sloped landscaping would be provided along the north boundary and around the north east corner of the site facing the roundabout. There does appear to be a discrepancy between the topography plan and the elevations of between 0.6m - 1 m.
- 2.4 The school building would be 39.8m in length and 15.8m in width at its widest points where the staircases would be on the front/east elevation of the building. The school as designed would comprise a two storey central section with a length of 18.6m incorporating the main entrance and two stairwell features with a maximum height of 8.8m. This central section would be flanked to the north and south by two storey wings, both 9m in length with a lower roof (that would incorporate more flat roof) with a maximum height of 7.6m. To the south of the southern wing would be a single storey element 4.4m in length, providing a covered access to the stairwell and lift to the basement car-parking. The roofs of the main parts of the building would be hipped and topped by flat roof. The roof to the stairwell/lift to the basement would be hipped back onto the main two storey south facing elevation of the building, extending beyond its south wall to cover an area for cycle parking. It is proposed to finish the ground floor of the school building in red brick with the upper floor in render. The roofs would be tiled and the fenestration would reflect that of the Mosque.

- 2.5 An underground car-park is proposed under a much larger section of the site and would exclude only a small area providing the existing access to the site adjacent to the mosque, an area to be landscaped along the boundary with Jersey Road and a small area for access and landscaping adjacent to the THNR. It would provide parking for 34 cars, including 3 disabled spaces. A small part of the underground car park adjacent to Jersey Road would also provide a bin store. The development would also require changes to the highway to ensure safe access to the site.
- 2.6 The Mosque to the south is owned by the applicant and it currently uses the application site as an overflow car-park at its busiest times. The access also provides an additional entrance to the Mosque at these times, and on the basis of the drawings this access would be retained. The erection of a building on the site and its change of use to create a separate planning unit of a school would therefore potentially result in the loss of approximately 60 parking spaces for use by visitors to the Mosque. The times at which the Mosque is particularly busy run from approximately 12.30pm on a Friday afternoon, and the applicant has therefore proposed to close the school at 12.00 noon every Friday to ensure that the underground car-park can be made available for visitors to the Mosque at this peak time.

PLANNING HISTORY:-

- 3.1 In 2009 planning permission was granted retrospectively for the change of use of the application site from amenity land to temporary vehicle parking with the creation of a permeable hardstand area and proposed landscaping. Application ref: CR/2009/0205/COU. The officer report recognised that this had caused harm to the character of the area, but that the benefit of providing car-parking to alleviate some of the parking issues in the area associated with the Mosque outweighed the harm. The current use of the site exceeds the area for parking that was granted by this planning permission and the landscaping and tree protection measures required have not been implemented.
- 3.2 In 2007 planning permission was granted for a change of use of this site to a garden for use by visitors to the adjacent Mosque. The site was cleared but this change of use was not implemented. Application ref: CR/2007/0136/COU.
- 3.3 In regard to the protected trees, in 2006 an application for consent to fell all the trees on the site was refused. Application ref: CR/2006/0573/TPO.

The following planning applications set out the site's earlier planning history:

- 3.4 In 1995 planning permission was approved for 3 x 3 bedroom terraced houses. Application ref: CR/1995/0642/FUL.
- 3.5 In 2002 a subsequent planning application for the erection 3 x 3 bedroom terraced houses was refused after being recommended for refusal on the grounds that the site was an allocated employment area, the density of the development was too low, and, due to the proximity to the landfill site the Local Planning Authority was not satisfied that sufficient measures could be taken to protect the residents from ensuing hazards. Application ref: CR/2020/0070/FUL.

PLANNING POLICY:-

National Planning Policy Framework (2019)

- 4.1 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three overarching objectives - economic, social and environmental. These objectives are interdependent and need to be pursued in mutually supportive ways. At the heart of the Framework is presumption in favour of sustainable development. Relevant paragraphs are set out below.
- 4.2. 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.

- 4.3. Section 6: Building a strong, competitive economy - significant weight should be placed on the need to support economic growth and productivity.
- 4.4. Section 8: Promoting healthy and safe communities – decisions should aim to achieve healthy, inclusive and safe places. Decisions should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. Paragraph 94 states that: *‘It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local Planning Authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:*
- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications, and*
 - b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.’*
- 4.5 Section 9: Promoting sustainable transport – states that transport issues should be considered from the earliest stages of plan-making and development proposals. Paragraph 108 states in assessing applications that it should be ensured that:
- a) “appropriate opportunities to promote sustainable transport modes can be taken up, given the type of development and its location;*
 - b) safe and suitable access to the site can be achieved for all users and:*
 - c) any significant impacts for the development on the transport network(in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*
- Paragraph 109 advises that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety; or if the residual cumulative impacts on the road network would be severe.”*
- 4.6 Section 11: Making effective use of land – decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.7 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.
- 4.8 Section 15: Conserving and enhancing the natural environment - policies and decisions should contribute to and enhance the natural and local environment. This includes protecting and enhancing biodiversity and geodiversity by identify and safeguarding local wildlife-rich habitats and wider ecological networks, including nationally and locally recognised sites of importance, conserving, restoring and enhancing priority habitats, ecological networks and seeking a net gain for biodiversity. Specifically it states in paragraph 175 c) that *“development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists...”* Paragraph 177 states that *“The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site”*. Paragraph 178 seeks to ensure that the site is suitable for its proposed use taking into account ground conditions and paragraph 180 requires that the impacts of pollution on health, living conditions and the natural environment are taken into account.

Crawley Borough Local Plan 2015 - 2030

The following policies in this adopted development plan are considered relevant to this application:

- 4.9 Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach of 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.

- 4.10 Policy CH1: Neighbourhood Principle states that the neighbourhood structure of the town is to be maintained and neighbourhood centres are to remain as the focal point for the local community, providing facilities that meet their day– to–day needs within walking distance.
- 4.11 Policy CH2: Principles of Good Urban Design States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- 4.12 Policy CH3: Normal requirements of all New Development- *“All proposals for development in Crawley will be required to:*
- a) *Be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context.*
 - b) *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.*
 - c) *Provide or retain a good standard of amenity for all existing and future occupants of land and buildings.*
 - d) *Retain existing individual or groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens that would not overshadowed by three canopies and proposals should ensure that rooms within buildings would receive adequate daylight.*
 - e) *Demonstrate how “Secure by Design” principles and guidance set out in the “Secured by Design” design guidance have been incorporated into the development.*
 - f) *Meet the requirements necessary for their safe and proper use, in particular with regard to access circulation and manoeuvring, vehicle and cycle parking loading and unloading, and the storage and collection of waste.*
 - g) *In respect of residential schemes, demonstrate how the Building for Life 12 criteria (as amended) for the evaluation of the design quality of residential proposals have been taken into account and would be delivered through the scheme.*
- Development proposals should comply with any relevant supplementary planning guidance produced by the council including residential extensions, Conservation Area Appraisals, the Manor Royal SPD, and advice on signs and advertisements. Further information on specific requirements for development can be found in the Local List of Planning Requirements.”*
- 4.13 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”.*
- 4.14 Policy CH6: Tree Planting and Replacement Standards, states that any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site although, where this is not feasible, commuted sums will be sought in lieu.
- 4.15 Policy CH7: Structural Landscaping states that areas of soft landscaping make an important contribution to the town and its neighbourhoods. Development proposals that affect this role should demonstrate the visual impact of the proposals and should protect or enhance the structural landscaping. Opportunities will be sought to enhance structural landscaping where it is weak or limited.
- 4.16 Policy CH8: Important Views, states that important identified views should be protected and/or enhanced.
- 4.17 Policy ENV1: Green Infrastructure. Crawley’s multi-functional green infrastructure network will be conserved and enhanced, with support for developments that protect and enhance it, requiring development to take a positive approach to designing green infrastructure to integrate and enhance the existing green infrastructure network.
- 4.18 Policy ENV2: Biodiversity, requires development to incorporate features to encourage biodiversity where appropriate and enhance existing features of nature conservation value within and around the

development. Ancient Woodland and aged or veteran trees are identified as sites where planning permission will not be granted that results in their loss or deterioration unless the need for and benefits of development in that location clearly outweigh that loss. A buffer zone between the development and the Ancient Woodland would be required in accordance with Natural England Standing Advice. It also seeks to protect locally designated sites including Local Nature Reserves and Biodiversity Opportunity Areas, and proposals that would result in significant harm to biodiversity in these areas will be refused unless it can be mitigated or as a last resort, compensated for.

- 4.19 Policy ENV6: Sustainable Design and Construction, requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically for non-domestic buildings to achieve BREEAM excellent for water and energy credits where viable.
- 4.20 Policy ENV8: Development and Flood Risk, advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere.
- 4.21 Policy ENV9: Tackling Water Stress, requires non-residential development to meet BREEAM Excellent under the mandatory water credits where technically feasible and viable.
- 4.22 Policy ENV12: Air Quality, states that proposals that do not result in a material negative impact on air quality will normally be permitted. An air quality assessment is required outlining development impacts and mitigation.
- 4.23 Policy IN1: Infrastructure Provision, states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.
- 4.24 Policy IN3: Development and Requirements for Sustainable Transport, advises that development should be concentrated in locations where sustainable travel patterns can be achieved through the use of the existing transport network, including public transport routes and the cycling and walking network.
- 4.25 Policy IN4: Car and Cycle Parking Standards, states that development will be permitted where the development proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle standards.
- 4.26 Policy IN5: Location and Provision of New Infrastructure, states that new or improved infrastructure in appropriate locations will be supported to support development or where they add to the range and quality of facilities in the town. Major facilities which serve the whole town or wider area should be located in the most sustainable locations accessible by a variety of means of transport.

Submission Draft Local Plan (Regulation 19)

4.27 The Crawley Borough Local Plan is under review. The Council published its Submission Draft Local Plan (Regulation 19) on 6 January 2021. The consultation period closed on 30th June 2021. The following policies are of note but have limited weight:

- SD1: Presumption in Favour of Sustainable Development.
- SD2: Enabling Healthy Lifestyles and Wellbeing
- CL1: Neighbourhood Principle
- CL2: Making Successful Places: Principles of Good Urban Design.
- CL3: Movement Patterns, Layout and Sustainable Urban Design
- DD1: Normal Requirements of All New Development.
- DD2: Inclusive Design
- DD4: Tree Replacement Standards
- IN1: Infrastructure Provision.
- IN2: The Location and Provision of New Infrastructure

- EC5: Employment and Skills Development
- G13: Biodiversity and Net Gain
- SDC1: Sustainable Design and Construction.
- SDC3: Tackling Water Stress
- EP1: Development and Flood Risk
- EP3: Land and Water Quality
- EP4: Development and Noise
- EP5: Air Quality
- ST1: Development and Requirements for Sustainable Transport.
- ST2: Car and Cycle Parking Standards.

Supplementary Planning Documents (SPD)

4.28 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 (October 2016)

4.29 This contains guidelines on the standards the Council expects for public design highlighting in particular the importance of massing and materials, public realm, street design and parking and sustainable design. In addition, it states that applicants and developers are encouraged to consider all the end-users that a development and any associated public realm will serve so as to strive to cater to all groups (children and young people, the elderly, disabled people etc.).

4.30 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. Developments should address the street and public realm in a considerate manner and not turn their back on the existing street-scene and layout of the town. The appropriate scale and massing of the development will depend on the location and existing urban fabric. 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. Walkability and accessibility are important factors in sustainable urban design. All developments should encourage access through walking, cycling and public transport. Developments should encourage the use of public transport, create walkable neighbourhoods and encourage cycling.

4.31 Annex 1 in the guidance contains the Borough's indicative minimum parking standards. For schools it states these are to be assessed individually within the context of a travel plan using 1 space per 2 staff as a guide.

Green Infrastructure SPD (October 2016)

4.32 This document includes guidance and interpretation on the requirements of Local Plan policies in relation to Crawley's Green Infrastructure assets. It provides further guidance on ENV1, ENV2, CH2, CH3, CH6, CH7 and CH11.

Planning and Climate Change SPD (October 2016)

4.33 This SPD sets out advice on making developments sustainable and gives additional guidance on policies ENV6, ENV7, ENV8, ENV9 and IN3.

Developer Contributions Guidance Note (July 2016)

4.34 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.

Regulation 123 List (July 2016)

4.35 Regulation 123 of the CIL Regulations requires the council to publish a list of infrastructure that it intends to fund wholly or partly through CIL money. The purpose of the list is to distinguish between those types of infrastructure that the council intends to fund through CIL and those areas where a Section 106 Planning Agreement or S278 Highways Agreement will be sought. This will ensure that that a developer/landowner is not charged twice for the same piece of infrastructure.

PLANNING CONSIDERATIONS:-

5.1 The main planning issues in the determination of this planning application are:

- The principle of the development and the need for a school at this location;
- The impact upon visual amenity, the street scene and the character of the area (including structural landscaping and long distance views);
- The impact upon trees and the adjacent and nearby Ancient Woodland;
- The impact upon the operation of the highway;
- Parking provision and the cumulative impact on the parking for the existing Mosque use and the proposed school;
- The impact upon nearby occupier's amenities;
- Ecology and Biodiversity;
- Drainage;
- Energy Efficiency and Sustainability.

The principle of the development and the need for a school at this location.

5.2 The policy that specifically applies to the provision of schools is set out paragraph 94 of the National Planning Policy Framework and states that:

"It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and*
- b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted".*

5.3 At Borough level, Policy SD1 'Presumption in Favour of Sustainable Development' mirrors the overriding principles of the NPPF, and sets out amongst other considerations that support will be given to development that provides for the social and economic needs of Crawley's current and future population provided it accords with the policies and objectives in the Plan, unless material considerations indicate otherwise. Policy IN5 supports the provision of new and improved infrastructure in appropriate locations. Major facilities which serve the whole town or wider area should be located in the most sustainable locations accessible by a variety of means of transport.

5.4 While the site is currently in operation as an overflow car park for the adjoining mosque, it is still designated as Ancient Woodland and forms a part of a larger area of Ancient Woodland with the land to the west THNR. As a result of this designation, the guidance in NPPF paragraph 175 c) and paragraph 177 (referenced in 4.8 of the report) along with Local Plan policy ENV2 is also relevant. This Ancient Woodland designation in effect removes the 'presumption in favour of sustainable development' for any development on this land if it would cause significant harm to this type of habitat site. The harm to the habitat as result of the development is therefore a key consideration in assessing the application and the redevelopment of the land for a school is not necessarily acceptable in principle.

5.5 This application is for a new Islamic Faith primary school that the applicant's state would address a need within the community. Notwithstanding the aspirations of the applicant stated within the Design and Access Statement for this to be "Free School", the proposal is not supported at this stage by either WSCC, in its role as the Local Education Authority (LEA) or by the Department of Education. The LEA has also confirmed that there is currently not a Free School application round open.

- 5.6 The LEA has commented that it would not support an additional primary school in this area as it states that there is existing spare capacity (13%) within existing local primary schools in the area that exceeds the recommended threshold suggested by the Department for Education of having 5 – 10% spare capacity. Notwithstanding the comments of the LEA, it is acknowledged that an Islamic Faith School would meet an identified need, and this is further evidenced by the significant numbers of representations in support of the application that have been received for the provision of this facility from around Crawley and the surrounding area. It is also considered that it would widen choice in education within the Borough. It is considered therefore that on this basis meeting the identified needs of this community “*great weight*” should be given, as set out in NPPF, paragraph 94 to the need to create, expand or alter schools.
- 5.7 There is some concern that as the school would have a wide catchment area which would extend beyond the town it would not function as a neighbourhood school. This proposed location is not as well served by public transport or walking/cycle routes as other locations in neighbourhood centres or close to the town centre and therefore it is not the most sustainable location for access by a variety means of more sustainable transport. However, on the basis of the local plan policies not specifically resisting the provision of a school at this location and the general level of support for new schools in the NPPF, it is considered that the provision of a new school in Broadfield could in principle be acceptable, with the sustainability of the location in regard to access forming a part of the consideration of WSCC Highways. The locational suitability must also be weighed up against the other local impacts of the development on the site and its surroundings which are discussed in more detail below.

The impact upon visual amenity, the street scene and the character of the area (including structural landscaping and long distance views):

- 5.8 Local Plan policies CH2 Principles of Good Urban Design and CH3 The Normal Requirements of All New Developments both includes requirements for developments to be of high quality design that is based on a thorough understanding of its site context. Further guidance is set out in the Urban Design SPD and paragraph 3.62 states in regard to the development of non-residential development that “*The layout of non-residential developments is particularly important to their success. They 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.*”
- 5.9 The site has a significant slope with an increase in land levels of approximately 3.5-4m from Jersey Road up to the finished land levels around the Mosque. The site is predominantly laid to hardstanding, but there are 6 retained protected trees within the curtilage. The edges of the site are generally undeveloped and rise up towards the centre of the site to provide a relatively even slope for the parking of cars. Just to the south of the site, and within the control of the applicant is the Mosque which is the dominant building in the area, its visual prominence supports its function as a place of worship and aids legibility for visitors to this important building. To the west is THNR that is also designated Ancient Woodland. The site is very visible from the north where the land levels drop away. The site is therefore very prominent as one enters Broadwood Rise from the Pelham Drive roundabout junction, and its character is still to a large extent defined by the retained trees, although their importance reduces when the car-park is in operation. It is considered that the site does relate well to its surroundings and the slope up to the Mosque helps to emphasise the importance of this building whilst the trees provide a clear visual link to the Ancient Woodland to the east and west.
- 5.10 The proposal development of the site is based on the finished land level for the whole site being brought up to the ground level of the Mosque over the top of an underground car-park. On the basis of the topographical survey submitted with the application the lowest part of the site north-east corner (+14.86m) is approximately 4m below the highest part of the site adjacent to the Mosque in the south east corner (+18.90m). On the basis of the submitted plans there would be a raising of the land levels close to the northern boundary of the site of approximately 2.6m, effectively a whole storey. The building would be located adjacent to the western boundary of the site with three storey walls to the north and the northern part of the west elevation close to the public access to THNR. The

building would be 12m in width and 40m long, which is approximately the length of the site from north to south. In terms of design, the building would take its inspiration from the Mosque with the use of red brick, and render for the walls, a tiled roof and openings similar to the neighbouring building.

- 5.11 It is therefore considered that the design approach using the finished land level close to the Mosque as the starting point for the development results in a significant change to the character of the site that does not relate to the natural topography of the area. The development would not take into account the context of the site on the side of a steeply sloped hill, but rather emphasises the unsympathetic nature of the design which effectively builds up the floor levels to what would be 1st floor level compared to current land/pavement levels onto Jersey Road. The erection of the large two storey school building on top of the significantly elevated land levels would by reason of its resultant bulk, massing, width and height create a visually prominent, unsympathetically sited development out of keeping with the area and harmful to the street-scene, particularly when seen from the east and north. Views through the site to the Ancient Woodland to the west would also be lost.
- 5.12 The bulk, massing and length of the building close to the western elevation of the site would dominate the entrance route into THNR to the detriment of members of the public accessing this public open space, and views out of this area to the west from the access path would be dominated by the bulk of this building. This view would have a clear and harmful urbanising impact upon the context of this Ancient Woodland/public open space.
- 5.13 The prominent siting of such a large building, with the significant increases in land levels from the main viewpoints from the south would compete with visually, and detract from, the setting of the existing two storey Mosque that has been erected on the side of the hill within the slope rather than altering the topography of the area. The development would have the impact of reducing the legibility of the Mosque, in its current spacious context and eroding its current setting which emphasises its important function. This change to the relationship of this important religious building to its surroundings would cause harm to the visual amenities of the street scene and the character of the area.
- 5.14 The development on this highly prominent site, with a significant change in levels would not relate well to its wider suburban context of two storey housing erected at levels that take into account the topography of the area. The increase in the height of the land levels and the length, bulk and massing to the building would have a significantly harmful impact upon the setting of the Mosque, the most visually important building in the area and there would be harm to the street scene and the character of the area. It is considered that the proposals would result in a cramped overdevelopment of the site. It would therefore be contrary to the Urban Design SPD and policies CH2 and CH3 of the Local Plan.
- 5.15 The site is also defined as structural landscaping and the 6 protected trees on the site contribute to this function. The development would result in the loss of these trees along with the erection of a substantial building on significantly altered land levels and is considered to result in visual harm to the green character of the area when to visual appearance of the current site with its limited temporary use each week for overflow car-parking for visitors to the Mosque. Whilst the applicant has sought to mitigate the impacts on the character of the area from the development by planting trees in the available small landscaped areas and within raised planting beds, the trees proposed would be constrained in relatively cramped conditions and, due to the species chosen, would not have space to mature to have significant crowns. Whilst this landscaping is an improvement compared to the original design proposal that was submitted, it is considered that the replacement trees and planting would not be adequate to screen the bulk and massing of the development and there would therefore be an adverse impact on structural landscaping on site that would not be adequately mitigated. The development is therefore also considered to be contrary to policies CH6 and CH7 of the Local Plan that seeks to protect and enhance Structural Landscaping.
- 5.16 With regard to the impact upon the long distance view from Target Hill, as the development would be behind the existing Mosque with a back drop of Broadfield to the north and extensive screening from the trees on Target Hill itself in front of it, the development would not be visible and it would therefore be acceptable in this regard.

The impact upon trees and the adjacent and nearby Ancient Woodland:

- 5.17 The development would result in all 6 of the remaining TPO protected trees on the site being lost, comprising 2 x silver birch, (one of which appears to have fallen and not yet been replaced the other has been subject to ground level fire damage but is recovering) two oaks, a sweet chestnut and a scots pine.
- 5.18 Replacement trees are proposed in the following locations around the site:
- along the northern boundary of the site with Jersey Road, in an area of between 2-2.6m in width, comprising 3 x fastigiated oaks, 5 x silver birches
 - an area to the east of the playground adjacent to Broadwood Rise about 1m in width, 2 x fastigiated oaks
 - An area to the south of the existing access to the site, comprising 3 x fastigiated oaks and 5 silver birches
 - an area to the south of the proposed bicycle store, comprising 3 x Amelanchier lamarkii
 - a small area to the immediate east of the south side of the building comprising 2 x Amelanchier lamarkii.
- 5.19 A number of smaller trees are also proposed at ground floor level around the north and east sides of the building. These would be situated in raised planters around the edges of the outdoor play area and would comprise in total 6 x Tibetan cherry and 6 x Himalayan birch.
- 5.20 Total tree planting would be 8 x fastigiate oak, 10 x silver birch, 6 x Himalayan birch, 6 x Tibetan cherry and 5 x Amelanchier lamarkii. (This excludes a silver birch shown outside the site to the east of them Mosque). In total 35 predominantly ornamental trees are proposed around the site.
- 5.21 At ground level landscape areas would be planted with a mix of shrubs, herbaceous and grass species. There would be a hornbeam hedge behind the brick wall by the existing entrance to the north of the Mosque and the raised planters would have herbaceous, grass and fern planting. It is proposed that the wall for the underground car-park facing Jersey Road to the north and Broadwood Rise to the east would be planted with a mix of deciduous and evergreen climbers.
- 5.22 As none of the existing protected trees on the site would be retained, their amenity would be lost. The Arboricultural Officer considers that there would not be space available for planting of large tree specimens to replace those being lost and the net impact would be harm to the amenity of the area.
- 5.23 As regards to the impact upon the retained Ancient Woodland to the west, (putting aside the site itself is still designated as Ancient Woodland, albeit its value has been compromised by earlier works), the standing advice from Natural England requires that a 15m buffer should be provided from the development to the Ancient Woodland to protect this important habitat. The current use of the site as a car-park, with minimal development having been undertaken and only sporadic use for parking would be very different to a two-three storey scale school building with numerous windows to classrooms, the main assembly hall and external staircases occupied for considerable periods of time each week facing the woodland all closer than where cars currently park.
- 5.24 The building would be very close to the western boundary, and no 15m buffer with the Ancient Woodland is proposed. In terms of direct impact on the trees in this area, the Arboricultural Officer has objected to the development on the grounds that:
- *“The proposed development is far too close to the Ancient Woodland and would in my opinion result in an over-bearing impact on the school and undue future pressure to excessively prune the tree, particularly T8 – Oak which happens to be located right where the school comes closest to the boundary.*
 - *There is no 15m buffer between the school and the Ancient Woodland, this is in my opinion required.*
 - *The Mosque was built in fairly close proximity to the Ancient Woodland boundary however there is still a 6-7m gap and that side of the building only contains stairwells, the impact on the building from the adjacent woodland trees is therefore less. The impact of the trees on the classrooms on the other hand which be considerably more.”*
- 5.25 The development would not comply with the Natural England Guidance, and the physical impact of the building due to its proximity would require an oak tree to have to have its canopy reduced so the building could be accommodated. Furthermore, a number of class rooms, (at least one of which

being single aspect and facing the woodland at ground floor level) would face the trees and would therefore be subject to considerable overshadowing. The close relationship with the adjoining Ancient Woodland in the THNR would result in a continual need for works to ensure the tree height and canopy spread is contained as they grow so they do not create a conflict with the school building in respect of its operation, fabric and maintenance. The development is therefore likely to result in pressure to continually undertake works to nearby trees to the detriment of the remaining Ancient Woodland to the west. This would be contrary to policies ENV1 and ENV2 of the Crawley Borough Local Plan 2015-2030, the Green Infrastructure SPD and the relevant paragraphs of the NPPF.

The impact upon the operation of the highway

- 5.26 The NPPF states in para 109 that *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or residual cumulative impacts on the road network would be severe”*. Policy IN3 Development and Requirements for Sustainable Travel, of the Local Plan requires developments to be located in locations where sustainable travel patterns can be achieved by using the existing transport network, including cycling and walking, and can meet the access needs they generate and not cause an unacceptable impact in terms of increased traffic congestion or highway safety.
- 5.27 The development is proposing a school for 180 children with 27 members of staff. The existing vehicular access to the site from Broadwood Rise to the north of the Mosque would be retained as a route to the school entrance but would not provide access to any car-parking spaces. It would also continue to provide a secondary access to the Mosque.
- 5.28 West Sussex County Council Highways initially objected to the proposals for the following reasons:
*“The proposal does not include adequate provision on the site for the parking of vehicles in a satisfactory manner to the standard required by the Local Planning Authority and the proposal would be likely to increase the pressure for on-street parking in an area where insufficient space is available, with resultant detriment to highway safety and obstruction of the flow of traffic.
The proposal would not achieve safe and convenient access by a choice of means of travel nor encourage and enable and increase in environmentally sustainable means of travel such as walking, cycling and public transport and thereby minimise the impact of car journeys.
Adequate information has not been submitted to satisfy the Local Planning Authority that the proposal is acceptable in terms of access, and would not therefore give rise to increased hazards to highway users.”*
- 5.29 The applicant has submitted the additional information required including safety audits, amended plans altering the nearby road layout/markings, additional information in regard to parking at the Mosque and a re-evaluation of the number of visitors to the school who are likely to come by car given it would be a faith school with a wide catchment and the impacts of this on nearby streets. In addition an amended Travel Plan has also been provided and the applicant has stated that the school would be closed from 12 noon on Fridays to ensure the 38 spaces in the school car park can be made available for Mosque users. On the basis of the additional information submitted, conditions requiring the access, parking and travel plan to be implemented and a S106 legal agreement to provide monies to the County Council to introduce a new Traffic Regulation Order for the locality to ensure the car-park access and drop off points are safe, West Sussex County Council has withdrawn its objection to the development on the grounds of the impacts on the operation of the Highway. The response from WSCC has been made on the basis that the main Mosque car-park is already parked with cars in the aisles, and, on the basis that the underground car-park for the school will not have cars-parked in the aisles as this would be likely to result in an unacceptable fire risk and would not receive the agreement of WSCC Fire and Rescue.

Parking and the cumulative impact on the parking for the existing Mosque use and the proposed school.

- 5.30 The issue of the effect of parking on the amenity of the surrounding area is not considered by WSCC Highways, and this is a matter specifically for the Borough Council to address. Significant numbers of objections have been received from neighbouring occupiers concerned that the erection of a school on this site will exacerbate existing parking issues in the area particularly at times when the Mosque is busy.

- 5.31 The Urban Design SPD states that the parking standard for schools is assessed individually usually within the context of the Travel Plan and using a guide of 1 space per 2 members of staff. On the basis of 38 car parking spaces being proposed (3 being disabled spaces) for 37 members of staff, the underground car-park would be able to meet the schools own operational parking requirements and this has been confirmed by WSCC.
- 5.32 The existing car-park on the application site provides space for visitors to the Mosque for approximately 60 cars when blocked parked. It is brought into use primarily on Friday lunchtimes when the Mosque is at its busiest. The parking around the site has been observed on a number of occasions during the assessment of this application and the applicant has provided parking surveys that identified the numbers of cars and the availability of parking spaces in the area, including times when there are large numbers of people attending the Mosque. Recent visits to the Mosque have identified that there are now two prayer times on Friday lunchtimes, with the earlier prayer time generally being the busier. In recent visits it was observed that for the earlier prayer time, both the main and the overflow Mosque car-parks were blocked parked to capacity. There were also significant numbers of cars in nearby streets, including cars parked on the grass verge on the east side of Broadwood Rise, and thereby blocking the public footpath here. There were also large numbers of cars parked along Hobbs Road, Jersey Road, Broadwood Rise and St Clements Road. The second prayer times on Fridays are quieter, with the main car-park being full, but not block parked and fewer vehicles in the overflow car-park and on the streets in the locality. On the basis of observation only a relatively small number of people attended the Mosque by any means except by car. It should also be noted that the time for the high numbers of visitors to the Mosque was in total about 2 ½ hours, with nearly all the vehicles from the first prayer time clearing the site before the second set of attendees arrived. The operation of the car-parks was well marshalled by members of the Mosque.
- 5.33 The Mosque is clearly very well used on Friday afternoons with hundreds of vehicles visiting the site between the hours of approximately 12.30pm and 3pm, and many of these use the overflow car-park that is the application site. The application proposal, even with the underground car-park being made available for Mosque users by virtue of the school being closed would result in 22 parking spaces being lost from the site. In addition, due to the new access onto Jersey Road and the new Traffic Regulation Order required by WSCC Highways to ensure the safe operation of the highway, additional parking spaces would be lost on-street.
- 5.34 There are no planning controls over the hours of use of the Mosque and it would not be reasonable to impose any. At busy times even with the main car-park full (including with parking in the aisles) and the overflow car park blocked parked to capacity, there are still large numbers of vehicles from Mosque users on the nearby streets. The overflow car-park clearly currently helps to alleviate some of the parking issues that the high levels of attendance the Mosque on Fridays cause, and this was to a large extent the main justification for the granting of the retrospective change of use of the land to a car-park in 2009, even though there was some harm to the character of the area/trees/woodland Application ref: CR/2009/0205/COU.
- 5.35 There is therefore a concern that on Friday afternoons (even with the school closed and car park empty) that the development would still displace at least 25 additional cars that currently park on site onto nearby residential streets or the grass highway verges. It is accepted that impact is of relatively short duration (roughly 2 ½ hours) each Friday, plus funerals and festivals which do not occur every day of every week however, notwithstanding the limited times, it is certain that for these events, the development would worsen the parking situation in the area for both local residents and visitors to the Mosque.
- 5.36 Notwithstanding WSCC consider the highway would still be able to operate safely, the development would make existing parking issues and congestion in the area worse, and it is considered that this would have a further detrimental impact upon the amenities of nearby occupier's amenities and the visual amenities of the area as well as undermining the ability of the Mosque to meet its own parking needs. The development is therefore considered to be contrary to policy CH3 that requires developments to meet to meet their requirements for their safe and proper use and not cause unreasonable harm to the amenity of the surrounding area.

The operational requirements of the site;

- 5.37 Car access to the development would be provided via Jersey Road into the underground car-park. Pedestrian access, including for cycles and scooters would be provided via an improved existing access onto Broadwood Rise. 15 cycle spaces are provided to serve the development and no space for scooter storage. There is no standard within the Urban Design SPD for school cycle provision however national guidance in LTN 1/20 recommends 1 cycle space per 20 staff and 1 space per 10 pupils which would equate to a requirement for 20 cycle spaces. The planning application is submitted as an independent faith school with a wider catchment area. It is therefore considered likely that there would be greater number of attendees arriving by car, than by cycle/scooter than to a state funded neighbourhood school. The cycle parking shown is therefore likely to be acceptable given the site location, the lack of nearby cycle routes and wider pupil catchment area. It should be noted that, notwithstanding the cycle store shown, there would be some additional space for more cycle parking if required in a proposed area to be planted with trees at the rear of the site.
- 5.38 The bin store would be located at basement level with doors onto Jersey Road. It would be easily accessed by waste collection vehicles. Other larger vehicles could exceptionally deliver/collect via the existing access.
- 5.39 For pupils there would be an area of outdoor play space in the centre and towards the east end of the site, situated on top of the basement carpark. This amount of provision appears limited however, there are no published space standards or planning standards against which this provision can be assessed and therefore this cannot be considered further.
- 5.40 It is considered that the operational needs for the use can be met on site in accordance with policy CH3 of the Crawley Borough Local plan 2015-2030.

The impact upon nearby occupier's amenities:

- 5.41 The closest neighbours that would be impacted upon by the proposed development would be in St Helier Close to the north of the site. Nearby residents to the south would be screened from the development by the existing Mosque building, and to the east and west are areas of woodland.
- 5.42 The impact on the occupiers of dwellings further from the site would be from the cars being parked in nearby streets, whilst children are being dropped off/picked up, and from the increased Mosque related parking resulting from the loss of its temporary /overspill car-park and not directly from the use of site.
- 5.43 A significant amount of the site would have the land level raised to a level closer to that of the land around the Mosque to integrate it more closely with that building and to allow for the provision of the underground car park. The finished land level would be approximately 2.6m higher than the surrounding area, when viewed from pavement level to the north. It would be set back by approximately 2-2.6m from Jersey Road behind a 2.6m high wall topped by a railing. The intervening land between the road and the raised land level would be landscaped with trees and climbers. The area above the underground carpark not occupied by the school building would predominantly provide outdoor space for the school children.
- 5.44 The school building itself would be located close to the western boundary and due to the change in levels over the site, would be three storeys in height at its closest point with Jersey Road (2.6m to the north). At this point the building would be 12m wide, rising in height to 7.9m at the eaves and 10m to the top of the top of the roof. The taller roof to the central part of the building would be 11.4m in height when viewed from the north but would be set back over 15m from Jersey Road. The school would have a number of windows at 1st and 2nd floor level facing north, that would provide light and outlook to classrooms.
- 5.45 The closest house to the north of the application site is 1 St Helier Close. Its side elevation is situated approximately 23m from the application site, across Jersey Road which at that point is a dual carriageway. It is considered that notwithstanding the increase in the height of the land close to the northern boundary of the site of 2.6m (effectively creating a 1st floor across the whole site) the over 25m separation distance between the school windows/elevated playground and the side elevation of

this house, across the intervening road, would not result a harmful loss of privacy to the its occupiers or others nearby that are further away.

- 5.46 As the building would be located to the south of the houses on Jersey Road, there is potential for there to be some overshadowing and an overbearing impact. The resultant building although appearing three storeys in height would be over 25m from 19 St Helier Close facing the site, and would be located close to existing mature woodland which itself is a dominant feature. With the level of separation proposed to the closest neighbours, and given the context of the existing adjoining woodland, it is not considered that the building would have either a harmful overshadowing or overbearing impact on these neighbouring occupiers.
- 5.47 Whilst a school is likely to result in some noise during the day from children playing outdoors, it is not considered this activity during the middle of the day from its use would be harmful to nearby residents.
- 5.48 A small canteen is indicated close to the centre of the building with a door onto the western elevation. It is considered unlikely that this would cause a significant level of odour or noise, and if any external plant is required this would be subject to a separate planning application and would dealt with on its own merits.
- 5.49 There have been comments that the development could result in increased litter in the area. A school itself is not a similar use to a takeaway that provides a product that of itself would create waste. As this would be a primary school the children would remain within the site to eat/drink. It is therefore considered that the use would be unlikely to result in a significant rise in litter in the area.
- 5.50 It is therefore considered that the direct impacts of the development of a school on this site (from the building or any associated plant) would not cause harm to nearby occupiers amenities, and on this basis the development would accord with policy CH3 of the Crawley borough Local Plan in this regards.

Ecology and Biodiversity

- 5.51 A verbal update will be provided to the committee.

Drainage

- 5.52 Policy ENV8 – Development and Flood Risk requires developments to avoid areas that are exposed to an unacceptable risk of flooding and must not increase the risk of flooding elsewhere. In order to reduce peak surface water run off rates and annual volumes of run-off, there should be the effective implementation, use and maintenance of SuDS, unless not technically or financially viable. The applicant has submitted a Surface Water Drainage Strategy Statement that has been considered by the Council Drainage Engineer. On the basis of the information provided this sets out potential surface water drainage strategies without evidencing how they could be achieved on the site. Insufficient evidence has been provided to demonstrate that the development could control run-off rates and annual volumes of run-off through the effective implementation, use and maintenance of SuDS. The Councils Drainage Engineer has therefore objected to the proposal as the applicant has not demonstrated the development would accord with policy ENV8 and would not result in increased water run-off that could result in flooding elsewhere.

Energy Efficiency and Sustainability;

- 5.53 The application has been supported by an Energy and Sustainability statement. It addresses both passive and active design features that can assist in reducing CO₂ emissions and these proposed features would reduce CO₂ emissions by 9.8%. It should therefore result in the development achieving a BREEAM “Excellent” rating in the Energy category.
- 5.54 With regard to sustainability, it is noted that the development would be provided with a cycle store at ground floor level easily accessed from Broadwood Rise. This could be enlarged if so required. Other issues such as water efficiency, air quality, pollution and waste are also covered by the statement. Further measures in regard to Transport are covered in the Framework Travel Plan, and

this has been revised during the determination period of the application, and is now in principle agreed with WSCC Highways. The Sustainability Officer has no objection to the development in respect of how the design proposes to address the policy requirements for sustainable design and water efficiency. It is not considered that the application has considered fully the potential for a District Energy Network so this additional work is proposed to be required by a condition.

Other

- 5.55 Concerns have been raised from local residents that the proposal could lead to increased levels of anti-social behaviour in the area. It is not considered that the erection of a primary school itself is a form of development or a use that would lead to crime, the fear of crime or anti-social behaviour, and whilst Sussex Police have sought to discuss security measures for the site with the applicants, it has not objected to the development. It is not therefore considered that this development of a primary school of itself would be contrary the requirements of policy CH3 that seek to design out crime.
- 5.56 Wider issues related to existing parking pressures created by visitors to the Mosque and potential impolite behaviour from individuals, are not matters that the Local Planning Authority can consider, and should be addressed if necessary through the appropriate enforcement mechanisms.
- 5.57 WSCC have sought a S106 legal agreement to ensure the alterations to the highway are undertaken in accordance with the submitted details in the interests of the safe operation of the highway. The S106 legal agreement has not been completed and the development would not be acceptable without the changes to off-site infrastructure required. The development therefore fails to meet the requirements for its safe and proper use contrary to policies CH3, IN1, and IN3 of the Crawley Borough Local Plan 2015-2030.

CONCLUSIONS:-

- 6.1 In principle the NPPF strongly supports the provision of new schools and more school places, but this must be balanced against an objection in principle to development on, and close to, Ancient Woodland where there is significant harm to this asset. Other considerations must also be addressed in the balancing of planning issues including the suitability of the development for the site and its design and impact on the surrounding area.
- 6.2 In terms of the impact of the development upon visual amenity it is considered that the loss of trees combined with the level of works proposed excavating a sub-basement car park, the increase in the land (finished floor) levels and the erection of large and prominent building on the site would result in a development that would detract from the character of the area, the setting of the Mosque and result in an obstruction of views through the site to the woodland to the west and cause significant harm to visual amenities and the character of the area contrary to Local Plan policies CH2 and CH3 and the Urban Design SPD. In it is not considered that the loss of the protected trees would be mitigated adequately by the replacement planting proposed and their loss combined with the dominance of the proposed building, there would be harm the structural landscaping function of the site.
- 6.3 The development would not retain a 15m buffer to the Ancient Woodland off the site to the west, and would be represent development on an area of Ancient Woodland. Furthermore, the use and location of the building would result in the need for works to at least one retained tree within the woodland to the west, and would also result in future pressure for ongoing works. This would cause harm to the Ancient Woodland contrary to the standing advice from Natural England, the requirements of the NPPF and policies ENV1 and ENV2 of the Crawley Borough Local Plan 2015-2030.
- 6.4 It is considered that subject to suitable conditions and alterations to the highway, the use of the site itself could be implemented and have an acceptable impact upon the safe operation of the highway. The development would however, result in a loss of parking available for users of the Mosque that would not be fully replaced within the underground car-park which would be made available by the school. This displaced car-parking is likely to lead to at least an additional 25 cars being parked off the site at busy and is considered to have a detrimental impact upon nearby grass verges and the amenities of nearby residents who are already affected by high levels of parking and disruption at these times.

- 6.5 With regard to technical and construction considerations the issues relating to energy efficiency and sustainability could be addressed through conditions and there would be some clear economic benefit from both the construction of the school and its ongoing future operation. In respect of drainage however, the applicant has failed to demonstrate that the surface water drainage strategy will comply with the SuDs requirements of policy ENV8, and on this basis it could lead to increased off site flooding and the design would be unacceptable.
- 6.6 In conclusion, it is considered that while there is great weight to be given to the principle of meeting the identified community need for a faith school, the development is on and adjacent to designated Ancient Woodland and given its impacts it is considered that the presumption in favour of development does not apply. The development as designed is considered to result in a harmful impact on the character of the area, a harmful impact upon the Ancient Woodland, loss of TPO trees and structural landscaping and drainage issues that could result in increased water flow off-site and therefore flooding. In addition, the proposal will make existing parking issues in the area at times of high use of the Mosque worse to the detriment of local residents and the character of the area. A S106 legal agreement required by WSCC to ensure the future safe operation of the highway has also not been completed. It is therefore considered that the development is contrary to the Local Plan and it is therefore recommended to be refused for the following reasons:

RECOMMENDATION RE: CR/2018/0064/FUL

Refuse - for the following reasons:

1. The proposed development due to the alteration to the topography of the site (with elevated finished floor levels), its design, height, massing and length would result in overdevelopment of the site that would appear cramped, visually prominent and have a significant adverse impact upon visual amenity including harm to the setting of the neighbouring Mosque, the street scene and the character of the area, contrary to policies CH2 and CH3 of the Crawley Borough Local Plan and the Urban Design SPD.
2. The development would result in the loss of parking for Mosque leading to increased parking on nearby residential streets, grass verges and walkways to the detriment of neighbours' amenities and the character of the area, contrary to policy CH3 of the Crawley Borough Local Plan 2015-2030.
3. The development would be located on a designated area of Ancient Woodland, would result in the loss of six TPO protected trees and would also have a close relationship (without a 15m buffer zone) to the Ancient Woodland to the west of the site. The loss of the protected trees would harm the amenity of the area, there would be a requirement to undertake works to at least one tree off site and there would be future ongoing pressure for works to the Ancient Woodland. This would have a detrimental impact on the Ancient Woodland and the amenity of the area contrary to the Natural England Standing Advice, the NPPF, and policies ENV1 and ENV2 of the Crawley Borough Local Plan 2015-2030 and the Green Infrastructure SPD.
4. The development of the site would result in the loss of 6 protected trees resulting in an adverse impact upon the Structural Landscaping and green amenity of the area. The tree loss would not be adequately mitigated by replacement planting contrary to policies CH6 and CH7 of the Crawley Borough Local Plan 2015-2030 and the Green infrastructure SPD.
5. The applicant has not demonstrated to the satisfaction of the Local Planning Authority that the development can be undertaken in a manner that would ensure that it would not increase flooding off-site through the application of the effective implementation, use and maintenance of SuDS contrary to policy ENV8 of the Crawley Borough Local Plan 2015-2030.
6. The applicant has failed to enter into a S106 agreement to achieve the required infrastructure changes to the local highway network required for its safe and efficient operation, contrary to policies CH3, IN1 and IN3 of the Crawley Borough Local Plan 2015-2030.

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:

- Liaising with members, consultees, respondents, the applicant and the agent and discussing the proposal where considered appropriate and necessary in and during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of the application.
- Informing the applicant of identified issues that are so fundamental that it has not been/would not be possible to negotiate a satisfactory way forward due to the harm that would be caused.

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



ArcGIS Web Map

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