

REFERENCE NO: CR/2017/0764/RG3

LOCATION: [FLEMING WAY \(WEST OF CRAWTERS BROOK\), NORTHGATE, CRAWLEY](#)
WARD: Northgate
PROPOSAL: FLEMING WAY CYCLE PATH SCHEME TO CONNECT THE CRAWTERS BROOK SHARED FACILITY WITH THE NATIONAL CYCLE NETWORK (NCN) ROUTE 21 EXTENDING FROM/TO GATWICK AIRPORT AT THE FLEMING WAY END THROUGH THE UPGRADE OF EXISTING PEDESTRIAN FOOTWAYS TO SHARED FACILITIES FOR PEDESTRIANS AND CYCLISTS (AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 28 November 2017

CASE OFFICER: Mrs J. McPherson

APPLICANTS NAME: Crawley Borough Council

AGENTS NAME:

PLANS & DRAWINGS CONSIDERED:

13325-328 PL01	Rev A02	Site Location Plan
13325-328 PL02	Rev A02	Land Ownership
13325-328 PL03	Rev A03	Existing Layout
13325-328 PL04	Rev A06	Proposed Layout

CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|---------------------------------------|---|
| 1. | WSSC - Highways | Concerns raised about the proposed elephant crossing. Amended plan now received amending design to toucan crossing as per advice. Other detailed design comments to be addressed via condition |
| 2. | Cycle Forum | Comment that the scheme will provide an important link between Crawters Brook path and the east and westbound cycle routes along Fleming Way. Disappointed that pedestrian/cycle priority cannot be provided at third party site entrances. Highlights need for continuous priority in cycle route design and clear route signposting |
| 3. | Manor Royal Business District | No comments received |
| 4. | CBC - Planning Arboricultural Officer | No objection subject to works complying with Arboricultural Method Statement |

NEIGHBOUR NOTIFICATIONS:-

The application was advertised via several site notices posted along the route.

RESPONSES RECEIVED:-

No responses have been received

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant.

THE APPLICATION SITE:-

- 1.1 The application site is a section of Fleming Way extending from its junction at Newton Road in the west eastwards for 200m just beyond the junction with Jenner Way. The site is highway land comprising the footpath/ cycleway/grass verges and crossing point at Newton Road on the southern side of Fleming Way. The area is relatively level and also incorporates 2 bus stops.
- 1.2 The site is located in the Manor Royal Business District and is intersected by Crawters Brook stream which runs under the highway.
- 1.3 On either side of Fleming Way, the site is bounded by employment uses, with buildings set back from the back edge of the footpath. At its eastern end a number of trees in Crawters Brook adjoin the footpath, there are also a row of trees on the northern side of Fleming Way within the curtilage of British Oxygen Limited. None of the trees are protected by a TPO.

THE PROPOSED DEVELOPMENT:-

- 2.1 The proposed development seeks to create a link between the national cycle route and a section through Crawters Brook which is currently perceived as a problem area as there is difficulty crossing and no cycle path for cyclists. The works consist of the following:
 - Creation of a new toucan crossing over Fleming Way to the east of Crawters Brook
 - Creation of a shared pedestrian / cycleway on the southern side of Fleming Way from Newton Road to the new pedestrian crossing connecting with the Crawters Brook cycle route. This involves widening of the existing footpath on southern side of Fleming Way to form a continual route for cyclists / pedestrians, the relocation of the eastbound bus shelter, changes to paving/ surfacing and new signage.
- 2.2 The application was accompanied by the following supporting documents:
 - Design and Access Statement;
 - Stage 1 / 2 Safety Audit;
 - Arboricultural Impact Assessment;
 - Arboricultural Method Statement.

PLANNING HISTORY:-

- 3.1 There is no relevant planning history for the site however, there is a related application for improvements to cycle access at the southern end of Crawters Park, along Manor Royal, reference CR/2017/0765/RG3 which is also linked to the national cycle route improvements associated with this proposal.

PLANNING POLICY:-

National Planning Policy Framework

- 4.1 The National Planning Policy Framework (NPPF) was published in March 2012 and introduced the presumption in favour of sustainable development in approving developments that accord with the development plan without delay or where the development plan is absent, silent or relevant policies

are out of date, unless there would be significant adverse impacts or it would be contrary to the policies in the NPPF.

- 4.2 Paragraph 75 requires planning policies to protect and enhance public rights of way and access. Local Planning Authorities should seek opportunities to provide facilities for users for example, adding links to existing rights of way networks.

The Development Plan – Crawley Borough Local Plan 2015-2030 (adopted December 2015)

- 4.3 Policy SD1 states that in line with the planned approach to Crawley 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.
- 4.4 Policy CH2 sets out the seven principles of good urban design. Development proposals will be required to assist in the creation, retention or enhancement of successful places in Crawley. Amongst other things development will be required to:
- (c) “create public spaces that are attractive, safe, uncluttered and which work effectively for all in society, including disabled and elderly people”,
 - (d) “make places that connect with each other and are easy to move through, putting people before traffic and integrating land uses and transport networks” and,
 - (e) “provide recognisable routes, intersections and landmarks to help people find their way around”.
- 4.5 Policy CH3 requires all proposals to amongst other things be based on a thorough understanding of the significance and distinctiveness of the site in its immediate and wider context, be of high quality in terms of urban, landscape, relate sympathetically to its surroundings, not cause harm to the amenity of the surrounding area, meet requirements for the safe and proper use of the site in particular with regard to access and circulation and to comply with all relevant Supplementary Planning Guidance.
- 4.6 While the application site is highway land this intersects Crawters Brook which is ‘Structural Landscaping’. Policy CH7 seeks to protect areas of soft landscaping that 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 and/or enhance structural landscaping, where appropriate.
- 4.7 Policy EC3 deals specifically with Manor Royal and development for changes of use, intensification or reuse of buildings however; it goes on to state that all development should contribute positively to the overall setting and environment of the Main Employment area as a business district through high quality design and landscaping in accordance with the Manor Royal SPD (MRSPD).
- 4.8 Policy ENV1 states that Crawley’s multi-functional green infrastructure network will be conserved and enhanced. It states that “development that protects and enhances green infrastructure will be supported” and “proposals should maximise the opportunity to maintain and extend green infrastructure links to from a multi-functional network of open space, providing opportunities for walking and cycling....”
- 4.9 While the application site is highway land, the site is intersected by Crawters Brook watercourse, policy ENV8 advises development proposals must avoid areas which are exposed to unacceptable flood risk and must not increase the risk of flooding elsewhere.

Manor Royal SPD July 2013

- 4.10 This document aims to support economic growth in Manor Royal, providing guidance to ensure new development makes a significant contribution to the uplift of the area and secures delivery of high quality development which supports the key business function. Two of the 4 ‘General Design Principles set out in the document require development to:
- “Demonstrate how the development increases movement and permeability through the business district by improving accessibility to the sustainable transport network” and,
 - “Demonstrate how development assists in wayfaring and orientation within the business district and contributes towards strengthening its identity”.

4.11 The document seeks to enhance and improve green links and connections to the wider footpath and cycle networks. It encourages improvements to enhance and extend the local cycle network and encourage sustainable modes of travel.

PLANNING CONSIDERATIONS:-

5.1 The principle of the development is supported as set out in the policies listed in Section 4 above. The proposal would improve pedestrian and cycle links in the area, providing a new cycle route on the southern side of Fleming Way connecting into existing sections of cycle way. Furthermore the crossing would provide a further safe and convenient point of access for pedestrians and cyclists to cross Fleming Way. The other key considerations are:

- Impact on visual amenity
- Impact on highway and other highway users
- Impact on nearby trees

Visual amenity

5.2 Fleming Way is a busy wide road which is characterised by a grass verge which separates the road carriage way from the footpath / cycle way on either side. There are no trees within the grass verges within the application site but there are a number of items of street furniture including bollards, lampposts, CCTV poles and signs. Along the southern side of the road the grass verge is proposed to be reduced in width to accommodate a wider shared footpath / cycleway. While this would reduce the width of the grass verge in a few places, this is not considered to be harmful to the visual amenity of the street. The grass verge at its narrowest point would still be around 2m in width.

5.3 It is not considered that the new crossing would harm the visual amenity of the area, instead it is considered this would increase the legibility of the surrounding cycle paths as well as providing a new safe place to cross Fleming Way.

5.4 The works also include additional road signs, however these are few in number and do not detract from the street scene. The proposed surfacing and tactile paving is also considered visually acceptable.

Impact on highway users

5.5 On the southern side of Fleming Way the footpath would be widened to up to 3m to allow for pedestrians and cyclists. The existing bus shelter would be repositioned closer to the carriageway to allow a clear route behind the bus shelter rather than walking in front of it as at present. It is considered that this alteration is a positive change for pedestrians, cyclists and those waiting at the bus shelter.

5.6 WSCC had originally raised concerns about the proposed elephant crossing over Fleming Way and recommended that this could be resolved with the installation of a signalised toucan crossing. The applicant has amended the crossing design to a toucan crossing and WSCC has been re-consulted. Any further comments received will be provided as a verbal update at the meeting.

5.7 WSCC have also raised queries about the tactile paving proposed and that the proposed crossing point design, design details and proposed drainage. These are matters for the applicant to resolve with WSCC prior to commencement subject to planning permission being granted. These details are proposed to be secured via condition.

Impact on trees

5.8 No trees are proposed to be removed as a result of the development and the applicant has confirmed that no section of existing pavement is to be removed and replaced as part of the works.

The new widened pavement would be matched into the existing footway. This therefore limits the impact on tree roots which lie under the pavement. The Arboricultural Impact Assessment has identified that the root protection areas of 3 trees and 1 group of trees would be affected by the works to a limited extent.

- 5.9 The applicants are proposing in their Arboricultural Method Statement a series of measures that should ensure that the trees on land adjoining the site are not damaged as a result of the works. Such measures include tree protection fencing to be erected prior to the works and maintained during the construction phase, temporary ground protection in areas where surfacing is to take place and controls over soil stripping. The method statement proposes certain works to be carried out under Arboricultural supervision and recommends the contractor appoints a supervising arboriculturalist to oversee the works.
- 5.10 The Council's Arboricultural Officer raises no objections to the works provided they are carried out in accordance with the measures set out in the Method Statement and, in particular, that excavation in the areas of the root protection areas are hand dug and any roots found are pruned by a sharp handsaw. It is considered that subject to these requirements being conditioned, the works would not have a detrimental impact on the trees and would comply with policy CH3 of the CBLP.

CONCLUSIONS:-

- 6.1 The proposed works are considered to improve pedestrian and cyclist access along this section of Fleming Way and are consistent with the objectives of the Local Plan and Manor Royal SPD which support improvements to connectivity and access in particular in relation to sustainable modes of transport. The works are acceptable visually and have no negative impacts on highway safety or nearby trees subject to conditions. It is therefore recommended to permit this application.

RECOMMENDATION RE: CR/2017/0764/RG3

Permit – subject to 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 to be used in the development hereby permitted shall strictly accord with those indicated on the approved details associated with the application unless otherwise agreed in writing with the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
4. No development shall be commenced until such time as plans and details have been submitted to and approved in writing by the Local Planning Authority showing the proposed foot/cycle way crossings across the existing private accesses on Fleming Way. The development shall thereafter be implemented in accordance with the agreed details.
REASON: In the interests of road safety and to ensure adequate drainage in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No development shall commence until such time a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority showing the site set up during construction. This shall include details for all temporary contractors buildings, plant and stacks of materials, provision for the temporary parking of contractors vehicles and the loading and unloading of

vehicles associated with the implementation of this development. Such provision once approved and implemented shall be retained throughout the period of construction.

REASON: To avoid undue congestion of the site / obstruction to accesses and in the interests of visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

6. Prior to commencement of any works in connection with this permission, the tree protection measures shall be implemented in strict accordance with the details set out in the Arboricultural Method Statement (ref 4344-1/17-03) prepared by PJC Consultancy and its associated tree protection plan (Drawing PJC/4344-1/17/C). All the recommended measures as set out in the Statement shall be fully implemented and maintained for the duration of the development.
Reason: In order to protect the health of nearby trees in the interests of visual amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE(S)

1. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.

1. NPPF Statement

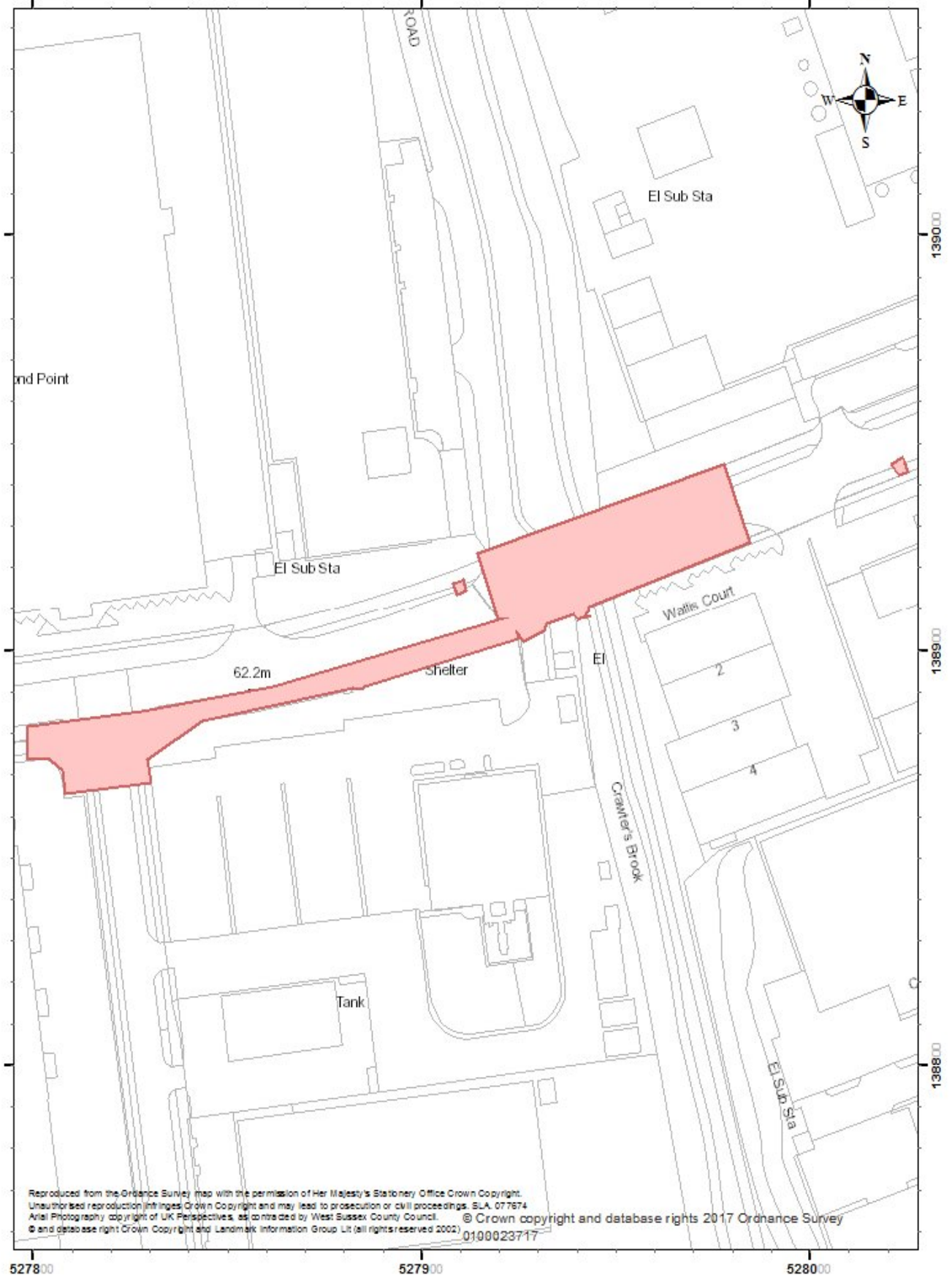
In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:

- Liaising with consultees/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/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.

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