

LOCATION: [FORMER GSK MANOR ROYAL, TELECON METALS & CARPENTERS TECHNOLOGY SITE, NAPIER WAY, NORTHGATE, CRAWLEY](#)

WARD: Langley Green & Tushmore

PROPOSAL: ERECTION OF 3 WAREHOUSE UNITS (USE CLASS B8), ASSOCIATED EXTERNAL PLANT, CAR/HGV PARKING, SITE ACCESS, INTERNAL ROADS, BOUNDARY SECURITY FENCING AND HARD/SOFT LANDSCAPING.

TARGET DECISION DATE: 7 July 2021

CASE OFFICER: Mrs J. McPherson

APPLICANT'S NAME: GLP UK

AGENT'S NAME: Quod

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
20363 RPS SI XX DR A 0100		Site Location Plan
20363 RPS SI XX DR A 0101		Existing Site Plan
20363 RPS SI XX DR A 0108	A	Fence Details
20363 RPS SI XX DR A 0113	B	Unit 1 Building Plan
20363 RPS SI XX DR A 0114	B	Unit 1 Office Plans
20363 RPS SI XX DR A 0115		Unit 1 Sections
20363 RPS SI XX DR A 0116	C	Unit 1 Elevations
20363 RPS SI XX DR A 0117		Unit 1 Roof Plan
20363 RPS SI XX DR A 0123	B	Unit 2 Building Plan
20363 RPS SI XX DR A 0124	B	Unit 2 Office Plans
20363 RPS SI XX DR A 0125		Unit 2 Sections
20363 RPS SI XX DR A 0126	D	Unit 2 Elevations
20363 RPS SI XX DR A 0127		Unit 2 Roof Plan
20363 RPS SI XX DR A 0133	B	Unit 3 Building Plan
20363 RPS SI XX DR A 0134	B	Unit 3 Office Plans
20363 RPS SI XX DR A 0135		Unit 3 Sections
20363 RPS SI XX DR A 0137		Unit 3 Roof Plan
20363 RPS SI XX DR A 0136	C	Unit 3 Elevations
BMD.21.019.DR.P001 Rev	C	Overall Landscape General Arrangement
BMD.21.019.DR.P102 Rev	C	Detailed Landscape General Arrangement And Planting Plan (sheet 2 Of 4)
BMD.21.019.DR.P101 Rev	C	Detailed Landscape General Arrangement And Planting Plan (sheet 1 Of 4)
BMD.21.019.DR.P103 Rev	C	Detailed Landscape General Arrangement And Planting Plan (sheet 3 Of 4)
BMD.21.019.DR.P104 Rev	C	Detailed Landscape General Arrangement And Planting Plan (sheet 4 Of 4)
BMD.21.019.DR.P401 Rev	-	Landscape Section A And B
BMD.21.019.DR.P402 Rev	-	Landscape Section C And D
10319 PL 100 Rev	B	Overall Site External Lighting Lux Level Plot
10319 PL 101 Rev	B	Unit 1 External Lighting Lux Level Plot
10319 PL 102 Rev	B	Unit 2 External Lighting Lux Level Plot

10319 PL 103 Rev	A	Unit 3 External Lighting Lux Level Plot
10319 PL 104 Rev	A	Site Access Road External Lighting Lux Level Plot
CRAW1- RPS-B1-XX-DR-A-1193	P01	Bicycle and motorcycle shelters - Layout and Details
CRAW1- RPS - SI-XX-DR-A- 1001	C04	Proposed Site Plan
21017-BGL-XX-X-DR-C-0200	T1	Proposed Level Plan
21017-BGL-XX-XDR-C-0202	P3	Proposed Sections Plan
21017-BGL-XX-X-DR-C-0202	T1	Proposed Sections Plan
CRAW1-RPS-B1-ZZ-DR-A-5399	P02	Radar Mitigation Plan Building 1A-5399 - P02.pdf
CRAW1-RPS-B2-ZZ-DR-A-5399	P02	Radar Mitigation Plan Building 2-5399 - P02.pdf
CRAW1-RPS-B3-ZZ-DR-A-5399	P02	Radar Mitigation Plan Building 3- P02.pdf
CRAW1-RPS-B1-ZZ-DR-A-5005	P03	Unit 1 - Ground, first and deck floorplans
21017-BGL-XX-X-DR-C-0210	C5	Proposed Drainage Layout
10319-M-110	B	Water Pipe layouts - Unit 1 Main Office Ground, First Floor & Plant Level Rooms HWS, MCWS & RWHS
10319-M-210	A	Water Pipe layouts - Unit 2 Main Office Ground, First Floor & Plant Level Rooms HWS, MCWS & RWHS
10319-M-310		Water Pipe layouts - Unit 3 Main Office Ground & First Floor HWS, MCWS & RWHS

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE:-

- 1.1 This application was considered at the meeting of the Planning Committee on 20th July 2021. A copy of the original committee report is attached as appendix A and the minutes of the meeting are attached as appendix B at the end of this report.
- 1.2 At that meeting it was resolved to grant planning permission for the development subject to 28 planning conditions and with delegated authority to officers to conclude the S106 Agreement to secure the following: Air Quality Contribution, Manor Royal Contribution, Travel Plan Monitoring Fee, Air Quality Works Scheme and measures to secure its implementation (together with additional air quality contribution depending on costings) and a commitment to an Employment and Skills Plan.
- 1.3 Since the committee resolution the applicants had been actively working to conclude the Legal Agreement and this document was signed but not completed and dated by the Local Planning Authority (LPA) due to its receipt after 14th September 2021 (which is the date the Natural England Position Statement on Water Neutrality was received by the LPA). As a direct consequence the planning permission could not be issued until 'water neutrality' had been demonstrated by the applicants.
- 1.4 In late 2021, the applicants commenced building work on site at their own risk and the development is now substantially complete but unoccupied, as there were no pre-commencement conditions to discharge and the development details had in effect all been agreed in the Officers report and were included in the draft decision notice. The Local Planning Authority did not consider it expedient to enforce against the construction of the development as there is currently no breach of the Habitat Regulations due to there being no water connection or water consumption at the site.
- 1.5 The applicants have been actively engaged with the Local Planning Authority to try and find a solution to the water neutrality problem, however, as there were no buildings on the site and it was not in any use, the applicants could not prove that the proposal would be water neutral. A water budget for the development was prepared and agreed in August 2022 and the applicants have been working to find a solution to mitigate for the water use needed for the development and have considered various offsetting proposals.
- 1.6 As the Committee will be aware, Crawley Borough Council, through Crawley Homes, has developed an offsetting scheme that has enabled two planning applications for affordable housing to progress and there is now some surplus water saving from the on-going offsetting scheme that enables the Council to now be in a position to assist the applicant achieve the water offsetting required for this development.

- 1.7 As already stated, there were no pre-commencement conditions proposed on the original planning permission but the development is now substantially complete. This change to the status of the development (that is now effectively retrospective) requires the conditions on any decision notice to be reviewed/amended to reflect the situation on the ground. This report addresses the changes since the original committee resolution and includes the details proposed to achieve water neutrality for the development.

CONSULTEE NOTIFICATIONS & RESPONSES:-

- 2.1 Please note that those consultations listed below relate only to new information received since September 2021 that has resulted in a requirement for re-consultation to be undertaken. Consultations responses not affected by the new information are as they were on the original report (appendix A).
1. GAL Aerodrome Safeguarding - No objection subject to conditions
 2. National Air Traffic Services (NATS) - No objection – radar mitigation addressed by applicants.
 3. CBC Drainage Office - No objection – submitted drainage maintenance document is acceptable.
 4. CBC Contaminated Land Officer - Remediation Report dated August 2022 satisfies outstanding contaminated land conditions.
 5. CBC Environmental Health Officer - Noise Impact Technical Report dated February 2022 satisfies condition [*Draft condition 27*]

NEIGHBOUR NOTIFICATIONS/RESPONSES RECEIVED:-

- 3.1 No additional neighbour notifications have been undertaken since the original committee resolution in July 2021 and no further responses have been received.

PLANNING POLICY:-

- 4.1 There have been no significant material changes to planning policy that would fundamentally require a wider reconsideration of the development and the recommendation since the original Committee resolution to permit was made. The documents that have changed are a revised NPPF (20th July 2021) and a revised draft (not yet adopted) Crawley Borough Local Plan. Both of these are referred to in more detail below.

4.2 National Planning Policy Framework (2021)

The general thrust of the relevant sections (set out in section 4.1 of the officer's original report at appendix A) remain unchanged. The only relevant update is in Section 14 where paragraphs 159-169 are now the relevant references setting out the sequential, risk-based approach to managing flood risk and the location of development, which takes account of climate change.

4.3 Draft Crawley Borough Local Plan 2024-2040

This document has replaced the Emerging Crawley Borough Local Plan 2021 – 2037 which was referenced in the officer's original report (section 4.3 of appendix A). The Local Plan Review 2024-2040 was approved at the Full Council meeting on 22 February 2023 to go out to Regulation 19 consultation. This statutory consultation will take place from 9 May 2023, in accordance with the Council's approved Local Development Scheme. Submission of the Local Plan to the Secretary of State will then happen later in the year. Limited weight should be given to the following applicable policies.

- Policy SD1: Presumption in Favour of Sustainable Development
- Policy SD2: Enabling Healthy Lifestyles and Wellbeing

- Policy CL2: Making Successful Places: Principles of Good Urban Design
- Policy CL3: Movement Patterns, Layout and Sustainable Urban Design
- Policy CL4: Compact Development – Layout, Scale and Appearance
- Policy CL6: Structural Landscaping
- Policy DD1: Normal Requirements of All New Development
- Policy DD2: Inclusive Design
- Policy DD4: Tree Replacement Standards
- Policy DD5: Aerodrome Safeguarding
- Policy DD6: Advertisements
- Policy IN1: Infrastructure Provision
- Policy IN3: Supporting High Quality Communications
- Policy EC1: Sustainable Economic Growth
- Policy EC2: Economic Growth in Main Employment Areas
- Policy EC3: Manor Royal
- Policy EC5: Employment and Skills Development
- Policy GI1: Green Infrastructure
- Policy GI3: Biodiversity and Net Gain
- Policy SDC1: Sustainable Design and Construction
- Policy SDC2: District Energy Networks
- Policy SDC3: Tackling Water Stress
- Policy SDC4: Water Neutrality
- Policy EP1: Development and Flood Risk
- Policy EP3: Land and Water Quality
- Policy EP4: Development and Noise
- Policy EP5: Air Quality
- Policy EP6: External Lighting
- Policy ST1: Development and Requirements for Sustainable Transport
- Policy ST2: Car and Cycle Parking Standards

PLANNING CONSIDERATIONS:-

5.1 This report considers the specific matters that have arisen since the application was previously discussed by the Planning Committee. Aside from the water neutrality issue, which will be considered first, these matters relate to the 28 draft planning conditions that were proposed as part of the decision notice, some of which the applicants have now addressed through the construction phase of the development or are no longer required. A revised set of conditions is therefore proposed to take into account these changes, and the implications for the original planning conditions and reasons for the revisions and deletions are set out under the following headings:

- Gatwick Safeguarding,
- Impact on Ground Conditions (Contamination, Flooding, Drainage and Utilities),
- Impact on Amenity of Neighbouring Properties,
- Site Clearance and Construction Management Conditions,
- Development Details,
- Developer Contributions,
- Other Matters.

Water Neutrality

5.2 Crawley is situated in an area of serious water stress, as identified by the Environment Agency. The application site is supplied with water by Southern Water from its Sussex North Water Resource Zone (SNWRZ). This supply is sourced from abstraction points in the Arun Valley, which includes locations such as Amberley Wild Brooks Site of Special Scientific Interest (SSSI), Pulborough Brooks SSSI and Arun Valley Special Protection Area/Special Area of Conservation and Ramsar site.

- 5.3 On 14 September 2021, the Council received a Position Statement from Natural England. The Natural England position is that it cannot be concluded that the existing abstraction within the SNWRZ is not having an impact on the Arun Valley sites. It advises that developments within this zone must not add to this impact.
- 5.4 Under the Conservation of Habitats and Species Regulations 2017 (s.63), Crawley Borough Council is the Competent Authority and has a duty to consider the impact of development on protected species and habitats. These Regulations and the Natural England Position Statement require, as a point of law, applications for planning permission in the SNWRZ have to demonstrate that they do not increase pressure on water resources and that they are “water neutral.” As a consequence, all applications that may affect water consumption need to be ‘screened’ to identify whether the proposed development, individually or in combination with other projects, will result in a significant effect on the Arun Valley sites.
- 5.5 This application is not exempt under the Screening process and therefore the applicants are required to submit evidence so that a judgement can be made by CBC as to whether there could be any potential significant impacts of the development on the Arun Valley sites by way of an ‘Appropriate Assessment’. In accordance with Natural England Position Statement, to meet this test the development must demonstrate that it is ‘water neutral’. The definition of water neutrality is the use of water in the supply area before the development being the same or lower after the development is in place.
- 5.6 This application is one where the new use proposed for the site (3 use class B8 storage and distribution units with ancillary offices) will have a higher water consumption than exists at present as the site as it has been clear of buildings for some years and therefore has had no water use. As stated earlier the site still has nil water use as the units, while constructed are unoccupied. The existing water budget for the site is therefore nil.
- 5.7 The applicants have provided a Water Neutrality Report for the proposal to establish a water budget for the development and to determine how much water is required to be offset. This information has been independently assessed for CBC by a specialist consultant.
- 5.8 The proposed water use is calculated using the BREEAM 2018 WAT01 calculator. The usage per person has been used to generate an overall consumption figure for the development and a rainwater harvesting calculation has been undertaken and applied to the water consumption rates of the toilets and urinals. The future occupancy is based on a precautionary approach assuming the units will operate 24 hours per day, 365 days of the year.
- 5.9 The applicants proposed and have installed a rainwater harvesting system in each unit to provide water to the toilets and urinals. The applicants have provided details of the schedule of the water fittings based on the proposed internal building layouts and specification the water neutrality report. No showers are proposed and no specification or allowance has been made in the water budget for additional water use on the site such as irrigation or vehicle washing. On this basis, the water consumption figure was calculated at 5,542 litres/ day.
- 5.10 This water budget has been calculated on the basis of a B8 use class (storage and distribution) only and therefore a condition is required to ensure that the unit is retained in for this use in perpetuity. Draft condition 28 limited the units to B8 use for parking and servicing reasons and this condition has now been revised and updated (new condition 12) to also cover the water neutrality requirements. Safeguards are also required to ensure that the water efficient fittings and rainwater harvesting equipment installed is verified as compliant with the submitted schedules and thereafter is maintained and operational for the lifetime of the development. These requirements would be controlled by being clauses of the S106 Agreement.
- 5.11 The applicants’ water budget did not make any allowances for vehicle washing or irrigation, both of which can consume high volumes of water. Conditions are also recommended to control these activities on the site (revised condition 3 and 13).
- 5.12 The net water demand for the development of 5,542 litres / day needs to be offset off site in order for the development to be water neutral. In this case, the offsetting is to come from the Crawley Homes

Water Neutrality Retrofit Programme. The Committee may recall that an initial pilot scheme was implemented in summer 2022 with 100 homes, this provided data on the pace at which this programme could be rolled out and the extent of water savings that could be achieved. Meter readings were taken at appropriate times before and after fitting to demonstrate the water savings that have been achieved. Following the success of the pilot, a budget was secured to continue the retrofitting of a further 1,500 properties. This ongoing programme is delivering water savings apace from the existing Crawley Homes housing stock, in excess of that needed for the key affordable housing schemes of Longley House and Breezehurst Drive, and it has resulted in surplus water savings that can be offered to other developers. The Council in its capacity as offset provider has offered the applicant off-site offsets from the Retrofitting Programme to cover the water budget needed to mitigate the water usage of this development, and the applicant has accepted the offer.

- 5.13 The offsetting measures that comprise the Crawley Homes Water Neutrality Retrofit programme involve existing dwellings within the Crawley Borough Council owned housing stock being fitted with a flow-regulator that is capable of reducing water consumption by an average of 20 litres per person per day. These flow regulators are fitted at the cold water inlet to each dwelling, to restrict the flow rate of water entering the property. They can be supplied and fitted quickly, at a reasonable cost and without the need for internal access to the house. The water savings are achieved primarily from fittings that operate for a specific time, such as running taps and showers. However, the flow limiter does not have any effect on volume-limited fittings, such as toilets or baths. The product requires a qualified tradesperson to carry out the installation, which is a sealed unit that is permanently plumbed-in and cannot be adjusted by the occupant. In addition, the tenant would potentially be in breach of their Tenancy Agreement if they attempted to remove or replace this device without the Council's consent. This therefore provides added assurance that this measure, once installed, will not be tampered with and will provide long term water savings.
- 5.14 A key element in ensuring this offsetting strategy is robust is the need for an ongoing management and maintenance programme. This is achieved in the established regime already in place at Crawley Homes for managing and maintaining its existing housing stock. This will now include the monitoring and maintenance of this water saving device. It is therefore considered that the maintenance and enforcement of the proposed off-site mitigation measure is manageable.
- 5.15 It should be noted that the approach set out in the Crawley Homes Water Neutrality Retrofit Programme has been subject to robust scrutiny by independent consultants for the LPA (in relation to both the Longley House and Breezehurst Drive applications). Furthermore, Natural England has also not objected to the methodology, assumptions and calculations for the retrofitting schemes undertaken as a part of the mandatory Appropriate Assessment consultation process required by the Habitat Regulations. A similar Appropriate Assessment setting out full details of how water neutrality would be achieved for this development will be prepared and sent to Natural England in accordance with the Regulations.
- 5.16 For this development the offset requirement is for 5,542 litres / day which, based on average occupancy of the homes being fitted, equates to 86 dwellings. The cost of retrofitting works is £24,596 which the applicant has agreed to pay as a contribution. This financial contribution from the applicants will enable Crawley Homes to continue to invest in retrofitting its stock (beyond the currently planned 1,600 dwellings) to help deliver future water savings from more of its 8000+ dwellings.
- 5.17 The Crawley Homes retrofitting programme has already achieved the water savings for this development and it has been confirmed that the offsets are for immediate use. A retrofitting ledger is being kept to evidence and monitor the offsetting allocations. On payment a certification letter will be issued to the Local Planning Authority as evidence of the retrofitting undertaken and credits allocated, which combined with other provisions included within the S106 Agreement should provide sufficient evidence that the offsetting has been achieved.
- 5.18 In conclusion, CBC officers and our consultants have considered the applicants' water neutrality budget report and agree with the assumptions and conclusions. It is therefore considered that, provided the development is implemented and maintained in accordance with the evidence presented, then subject to planning conditions, the development could operate within the agreed budget. The Crawley Homes retrofitting programme and strategy is also considered to be robust and the retrofitting offset requirement of 86 properties would enable the development to be 'water

neutral'. The applicants will need to enter into a Section 106 Agreement to secure the water neutrality and offsetting measures and ensure they are retained for the lifetime of the development. These include:

- the implementation, retention and maintenance of the on-site water efficiency measures in the new units in accordance with the agreed details;
- the implementation and ongoing maintenance of the rainwater harvesting system to serve each unit;
- a contribution to be paid by the developer for the appropriate number of offsetting units in the Crawley Homes retrofitting scheme; and
- the management and monitoring of the Crawley Homes retrofitting scheme.

5.19 An Appropriate Assessment document based on the details above is being prepared and sent to Natural England for comment (as required under the Habitat Regulations). A reasonable time period is required for that consultation.

Gatwick Safeguarding

5.20 Due to the size of the buildings, National Air Traffic Services (NATS) had originally objected to the development due to concerns about interference with the radar system. The applicant had agreed to pay to update the radar software and there were conditions imposed to ensure that a revised Radar Mitigation Scheme was agreed and implemented, along with conditions restricting the height of the building during its construction until such time as the scheme had been agreed and implemented. There was a requirement for a crane operation plan (draft conditions 3, 4 and 5). In addition, Gatwick Airport Limited (GAL) had requested details of any PV roof panels prior to implementation to prevent any glare that could impact upon the safe operation of the airport/aircraft (draft condition 18).

5.21 NATS confirmed to the LPA in October 2021 that the applicants had agreed with it a Radar Mitigation Scheme and that a legal agreement had been implemented to its satisfaction. NATS confirmed that the construction of the development could continue without further reference to the height restrictions specified by draft conditions 3, 4 and 5. The details provided to NATS by the applicants were submitted to the LPA in October 2022, these details comprised the crane specifications, operational information and rig diagrams. It also confirmed that a contract had been entered into with NATS to undertake the radar mitigation works. NATS has been reconsulted on this information and it has confirmed that the required radar mitigation was delivered and that the radar conditions that were imposed on the draft decision notice could be discharged. In this case as the development has been implemented in accordance with details agreed in consultation with the radar operator, draft conditions 3, 4 and 5 are no longer required as the construction works are complete.

5.22 In respect of the solar panels, the applicant provided a glint and glare assessment in July 2021 (at which time it was not able to have been considered prior to the committee meeting). GAL have been consulted on this study and have agreed the details set out in the study. GAL has recommended that the solar panel condition be modified to make reference to the agreed assessment and the wording of the condition has been adjusted to reflect this (revised condition 6). It should also be noted that the condition requiring the implementation of a Bird Hazard Management Plan (formerly draft condition 16) remains on the decision notice (revised condition 5)

Impact on Ground Conditions (Contamination, Flooding, Drainage and Utilities)

5.23 The site is brownfield land and therefore has potential be contaminated. The applicant provided detailed assessments of the potential contamination prior to the consideration of the application in July 2021 and there is an agreed Remediation and Verification Strategy for the development. In addition to a condition to require the works to be implemented in accordance with the agreed strategy, further conditions dealing with unidentified contamination and groundwater safeguarding were proposed (draft conditions 7, 8 and 9).

5.24 A Verification Report (required by draft condition 7) demonstrating that the site works had been completed in accordance with the agreed Remediation and Verification Strategy has been supplied by the applicant. This report (dated August 2022) found that there were no areas of unidentified contamination. The CBC Contaminated Land Officer has confirmed that the Verification report

satisfies the issues in relation to contamination on the site. Draft conditions 7 and 8 are therefore satisfied are no longer required.

- 5.25 The applicant's Flood Risk Assessment and associated drainage strategy was agreed prior to the consideration of the application by the committee with two conditions required firstly to undertake works as per the agreed document and secondly, being subject to the agreement of a site wide specific drainage maintenance document (draft conditions 14 and 15). It should be noted that prior to water neutrality the applicants already intended to install rainwater harvesting in their buildings so these storage tanks were incorporated into the original drainage design plans. The applicant has confirmed that the drainage has been installed as per the agreed strategy and therefore draft condition 9 (which dealt with any deviations from the drainage strategy and draft condition 14 are no longer required.
- 5.26 The applicant in October 2022 submitted a drainage maintenance plan as required by draft condition 15. The CBC Drainage Officer has confirmed that the maintenance arrangements are acceptable and therefore an amended condition is now proposed to ensure long term drainage maintenance for the site is in accordance with the details in the document (revised condition 4).

Impact on Amenity of Neighbouring Properties

- 5.27 An acoustic barrier has been constructed as required by draft condition 26 in the agreed location and to the specification as per the acoustic report and as a result, this condition is no longer required.
- 5.28 Draft condition 27 required details of the mechanical plant to be provided for unit 1 together with an acoustic report be provided prior to installation. This was in order to safeguard the residents in Dalewood Gardens which is situated to the south of the site. The applicants have provided details to address this condition and the Environmental Health Officer is satisfied with the information provided and that the plant would have a negligible impact. The information is therefore adequate to satisfy this condition and it is therefore no longer required.

Site Clearance and Construction Management Conditions

- 5.29 Draft conditions 6, 10 and 13 covered site management during construction in relation to a pre-agreed documents including a Construction Management Plan, Dust Management Plan, Arboricultural Method Statement with Tree Protection Plan and Preliminary Ecological Appraisal. These conditions are now unnecessary as the development has been constructed.

Development Details

- 5.30 A number of the conditions on the draft decision notice required the development to be set out in accordance with the details submitted and agreed as part of the application.
- 5.31 Draft condition 17 required the building to be constructed in materials specified on the submitted drawings, the buildings are constructed in these materials and therefore the requirements of the condition have been satisfied and this no longer required.
- 5.32 Draft condition 19 required BREEAM certification for the units, to date this has not been provided for all the units so this condition remains relevant and it is now condition 7.
- 5.33 Draft condition 20 required ductwork to enable for future connection to a District Energy Network if delivered in Manor Royal to be installed. The applicants have provided photographic evidence and in writing that this has been installed, the condition is therefore no longer required.
- 5.34 Draft condition 21 required the provision of fire hydrants. The applicants have evidenced that fire hydrant provision has been discussed and design details and arrangements have been agreed by the fire service. This condition is therefore no longer required.
- 5.35 Draft conditions 22, 23 and 24 require the provision of the external parking layout , cycle spaces and EV spaces. These conditions need to remain on the decision notice as the site layout is incomplete and they still need to be implemented. (revised condition numbers 8, 9 and 10)

- 5.36 With regard to site landscaping and its long term maintenance, draft conditions 11 and 12 remain necessary and are now revised conditions 2 and 3. The landscaping works have not been completed and the details for the long term management of the landscaping needs to be agreed and subsequently undertaken. The landscape management condition has been revised and taking into account the constraints now in place due to water neutrality, there is a need to ensure that an appropriate method of irrigation is implemented for the site without the need for further potable water consumption. The condition has therefore been amended so the applicant can consider alternatives for irrigation.

Developer Contributions

- 5.37 The payments and air quality requirements as drafted are still to be agreed but have a trigger point of requiring agreement/implementation prior to first occupation, and they still therefore continue to apply. The applicants are aware of these provisions.

Other Matters

- 5.38 Draft condition 1 (time limit) is now not required as the development is has been commenced. Draft informatives 1, 2, 3 and relate to contamination, drainage, construction and fire hydrants which are now all completed, these are no longer required and have been deleted.

CONCLUSIONS:-

- 6.1 As set out above, since the original resolution to grant planning permission in July 2021, the matter of water neutrality has arisen. The applicant commenced work on the development at its own risk, however it was in accordance with the details that were agreed by the planning committee and the approved documents and plans as drafted on the decision notice. The development as implemented to date is considered acceptable.
- 6.2 A water budget has been calculated for the development to determine the water demand and amount required to be offset. The applicant has agreed to buy credits from the Crawley Homes Water Neutrality Retrofitting Programme which has already generated sufficient water saving for the development. An Appropriate Assessment setting out full details of how 'water neutrality' is to be provided and secured for this development is to be prepared and will be subject to consultation with Natural England.
- 6.3 The offsetting and other water neutrality measures need to be secured via the conclusion of Section 106 Agreement, the provisions of which are in addition to those required by the original committee resolution. These are set out in detail in paragraphs 5.52 and 5.53 of the original Officer report (Appendix A) The s106 requirements are therefore as follows:
- Manor Royal Contribution of £31,620;
 - Air Quality Mitigation to a value of £80,208 – including a contribution of £54,983 towards the upgrading of Woolborough Lane cycle route and balance of contribution provided via a costed schedule identifying on site mitigation measures over and above current policy requirements;
 - Travel Plan monitoring fee £3,500;
 - Implementation of an Employment Skills Plan;
- AND provisions to secure the water neutrality and offsetting measures and retained in perpetuity, measures to include:
- the installation, implementation, retention and maintenance of the on-site water efficiency measures in the new units in accordance with the agreed details;
 - the implementation and ongoing maintenance of the rainwater harvesting system to serve each unit;
 - a contribution to be paid by the developer for the appropriate number of offsetting units in the Crawley Homes retrofitting scheme; and
 - the management and monitoring of the Crawley Homes retrofitting scheme.
- 6.4 It is therefore considered that the proposal is acceptable, and, subject to the associated conditions which have been amended to reflect the current position of the development on the site, the

conclusion a S106 agreement, and the conclusion of consultation with Natural England, it is recommended that planning permission should be granted.

RECOMMENDATION RE: CR/2021/0249/FUL:-

To delegate the decision to PERMIT the application to the Head of Economy and Planning, subject to the conclusion of consultation with Natural England on the Appropriate Assessment, the conclusion of a Section 106 Agreement, and the following conditions:-

1. 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.
2. The landscaping shall be implemented in accordance with drawing numbers BMD.21.019.DR.P101 Rev C, BMD.21.019.DR.P102 Rev C and BMD.21.019.DR.P103 Rev C and BMD.21.019.DR.P104 Rev C unless otherwise agreed in writing with the Local Planning Authority. All planting, seeding or turfing required in the approved landscaping details shall be carried out in the first planting and seeding seasons following the occupation of the first unit or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
3. Prior to the first occupation of any unit, a Landscape Management Plan which covers a period of no less than 15 years shall have been submitted to and been approved in writing by the Local Planning Authority. The landscape management plan shall include:
 - a programme for implementation, long term design objectives, long term management responsibility and maintenance schedules for all landscaped areas,
 - details of how the on-site landscaping will be irrigated (if required to allow the trees / shrubs to become established) without using potable water from the SNWRZThe development shall be thereafter implemented and maintained in accordance with the approved details.
REASON: In the interests of visual amenity of the area in accordance with Policy CH3 of the Crawley Borough Local Plan and the Manor Royal SPD, and in order to comply with the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.
4. The site drainage infrastructure shall be maintained in accordance with the approved Drainage Maintenance Plan (Ref:20083-BGL-XX-XX-RP-X-00005) dated 1 March 2022 and accompanying drawing 20083-BGL-XX-XX-DR-C-210 Rev C5 – Proposed Drainage Layout, for the lifetime of the development.
REASON: To ensure the long-term maintenance and management of the drainage system, to prevent the increased risk of flooding in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.
5. The Bird Hazard Management Plan dated 11 May 2021 shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the buildings. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to manage the roofs in order to mitigate bird hazard and avoid endangering the safe movements of aircraft and the operation of Gatwick Airport through the attractiveness of birds.

6. The solar panels shall be installed as per the layout shown at Figure 2 on page 3 of the 'PV Panel Glint and Glare Assessment' by KLG Consulting dated July 2023. No subsequent alterations to the approved schemes are to take place unless submitted to and approved in writing by the Local Planning Authority.
REASON: To ensure the development does not endanger the safe movement of aircraft or the operation of Gatwick Airport through interference with communication, navigational aids and surveillance equipment and glare issues in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
7. Within three months of the occupation of each building (Unit 1, Unit 2, Unit 3) forming part of the development, a post construction report shall have been submitted to and been agreed in writing by the Local Planning Authority, verifying that the building or the development as a whole has achieved the minimum Energy and Water standards for BREEAM 'Excellent'.
REASON: In the interests of sustainable design and construction in accordance with policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015 and the Planning and Climate Change Supplementary Planning Document.
8. Prior to first occupation of any of the units, the vehicle turning spaces, car parking and lorry parking serving that unit shall be provided and constructed in accordance with the approved details (Drawing Number CRAW1-RPS-SI-XX-DR-A-1001 Rev C04 - Proposed Site Plan). Once provided the spaces shall be retained for that use (either parking or manoeuvring) at all times for the lifetime of the development.
REASON: To ensure that adequate and satisfactory provision is made for the development for the parking and manoeuvring of vehicles clear of the highway in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015-2030 and Annex 1 in the Urban Design SPD.
9. Prior to the first occupation of any unit, the motorcycle and cycle spaces (including the cycle EV Charging point) shall be provided and constructed in accordance with details set out on drawing number CRAW1-RPS-B1-XX-DR-1193 Rev P01 - Bicycle and Motorcycle Shelters-Layout and Details. Once provided and operational, the spaces shall thereafter be retained at all times for their designated purpose.
REASON: To provide alternative travel options to the use of the car in accordance with policies IN3 and IN4 in the Crawley Borough Local Plan 2015-2030 and the advice in Annex 1 of the Urban Design SPD.
10. Prior to the first occupation of any unit, the Electric Vehicle Charging points serving the car parking spaces for that unit shall be provided in accordance with approved drawing Number CRAW1-RPS-S1-XX-DR-A-1001 Rev C04. The EVC charging points shall be made operational on first occupation of the unit and such provision shall thereafter be retained.
REASON: To provide EVC charging points to support the use of electric vehicles in accordance with national sustainable transport policies.
11. No unit hereby permitted shall be occupied unless and until a Travel Plan has been submitted to and been approved in writing by the Local Planning Authority in respect of that unit. The Travel Plan for each unit once approved shall thereafter be implemented as specified in the approved document. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.
REASON: To encourage sustainable transport modes in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015-2030.
12. The units hereby permitted shall be used solely for the purposes of Use Class B8 (Storage and Distribution) and not for any use as defined by the Town and Country Planning (Use Classes) Order 1987 (as amended), without the prior written consent of the Local Planning Authority.
REASON: To ensure that there is adequate parking and servicing provision on the site to reflect the use in accordance with policies IN3, IN4 and CH3 of the Crawley Borough Local Plan 2015-2030 and Annex 1 of the Urban Design SPD and, taking account of the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, in breach of the Conservation of Species and Habitats Regulations 2017.

13. No part of any unit or its service /parking area shall be designated, equipped or used for vehicle washing without the prior written consent of the Local Planning Authority.
REASON: In order to comply with the Natural England Position Statement on water neutrality received on 14 September 2021, to ensure that the development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, that would be in breach of the Conservation of Species and Habitats Regulations 2017.

INFORMATIVE(S)

1. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover the proposed adoptable on-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that any works commenced prior to the S38 agreement being in place are undertaken at their own risk.
2. The applicant is required to obtain all appropriate consents from West Sussex County Council, as Highway Authority, to cover the off-site highway works. The applicant is requested to contact The Implementation Team Leader (01243 642105) to commence this process. The applicant is advised that it is an offence to undertake any works within the highway prior to the agreement being in place.
3. The impact of any works within the highway/access road on public apparatus shall be assessed and approved, in consultation with Southern Water, under a NRSWA enquiry in order to protect public apparatus. Please send these enquiries to: Developer.Services@southernwater.co.uk
4. Southern Water requires a formal application for a connection to the water supply to be made by the applicant or developer. To make an application visit: southernwater.co.uk/developing and please read the New Connections Services Charging Arrangements documents which are available via the following link: southernwater.co.uk/developing-building/connection-charging-arrangements For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119). Website: southernwater.co.uk Email: SouthernWaterPlanning@southernwater.co.uk
5. The applicant's attention is drawn to the consultation response provided by Sussex Policy dated 26th April 2021 on crime prevention measures and further sources of information which are likely to be of benefit to future occupiers of the units.

1. NPPF Statement

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

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

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



ArcGIS Web Map



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