

LOCATION: [9 MILL ROAD, THREE BRIDGES, CRAWLEY](#)

WARD: Three Bridges

PROPOSAL: ERECTION OF 1 X ATTACHED THREE BED DWELLING IN SIDE GARDEN SPACE, AND ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION AND INTERNAL ALTERATIONS TO EXISTING DWELLING.

TARGET DECISION DATE: 17 October 2023

CASE OFFICER: Mrs A. Sanders

APPLICANT'S NAME: Mr Ridley

AGENT'S NAME: Architecture for London

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
PL000		Location Plan
PL600		Window Details
PL311		Diagram Of Materials
PL001 Rev	B	Site Plans
PI002 Rev	B	Existing Floor Plans
PI301 Rev	B	Proposed Floor Plans Loft & Roof
PL300 Rev	C	Proposed Floor Plans Ground Floor & First Floor
PL320 Rev	A	Proposed Street Elevation
PL003 Rev	A	Existing Elevations
PL310 Rev	A	Proposed Elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

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| 1. | WSCC Highways | No objection subject to conditions |
| 2. | National Air Traffic Services (NATS) | No objection |
| 3. | Thames Water | No objection |
| 4. | CBC Drainage Officer | No objection – request information on surface water mitigation |
| 5. | CBC Property Division | As 7 Mill Road is owned by CBC and the proposed development will change it from being semi-detached house to an end of terrace house and thereby effect its value, suggest consulting Crawley Homes - <i>Officer note: this is not a planning consideration.</i> |
| 6. | CBC Environmental Health Officer | No objection |
| 7. | Southern Water Ltd | No objection |
| 8. | CBC Energy Efficiency & Sustainability | No objection subject to conditions |
| 9. | Listed Building Officer | No objection |
| 10. | Hazelwick CAAC | No comments received |
| 11. | CBC Parking Services | Advises that parking is problematic and that 77% of parking permits have been issued. |

NEIGHBOUR NOTIFICATIONS:-

1 to 4, & 7 Millbrook House:
7, 8, 10 & 12 Mill Road
16 to 24 (even nos), 28 & 109 Hazelwick Road,
40 Brantridge Road, Furnace Green
93 The Birches
10 Kimberley Road
18 Summersvere Close
2 Inholmes, North Road.

RESPONSES RECEIVED:-

Ten letters and a petition from four addresses have been received objecting to the proposal on the following grounds:

- Pressure on parking – loss of parking provision and increase the demand for parking spaces, putting a burden on parking in Mill Road.
- It is within a controlled parking area where parking is already extremely challenging with limited capacity.
- No provision for the loss of parking spaces.
- This part of Mill Road is a narrow one-way street with no footpath, it would increase the risk of collision between pedestrians and vehicles.
- Lack of clear plan for building materials/waste storage and access during construction.
- There will be no suitable location for delivery and loading of building materials. Skips would need to be placed on the road.
- Where would the scaffolding be erected?
- Access issues for construction vehicles down this narrow stretch of road as well as access issues for residents/pedestrians during construction – would cause a health and safety issue.
- Impact on the integrity of the Conservation Area – the proposal would destroy and overwhelm the Conservation Area.
- Eighth planning application over a short period of time.
- The proposal is out of context and scale, and would destroy the architectural history of the area.
- Any new build would destroy the character of this row of properties.
- It would represent over-development, would be disproportionate and the siting is ill-considered.
- Impact on residential amenity – overlooking and loss of privacy.
- Increased pressure on infrastructure - water / sewerage etc.
- Contrary to Local and National Policy and the objectives of the Hazelwick Road Conservation Area.
- Adverse flood risk impact.
- The residents of Mill Road have been consistently dismissed, silenced and ignored throughout the duration of this application process. Lack of transparency through application process.
- No protection for the safety of residents, nor considerations of the pressure placed on this small and confined piece of historical road.
- Building works could cause damage to property.

REASON FOR REPORTING TO COMMITTEE:-

A Ward Councillor has called the application to Committee, and more than 4 letters of objection have been received contrary to the officer's recommendation to permit.

THE APPLICATION SITE:-

- 1.1 The application site is number 9 Mill Road in the neighbourhood of Three Bridges. It is a two-storey 19th Century semi-detached house located on the eastern side of Mill Road. It is constructed in a brown stock brick with red brick detailing. The roof is slate and the double glazed windows and door are white upvc. The property has a two-storey rear projection which is an original architectural feature that is also common to properties in the locality. It is a three-bedroom dwelling and has been extended at ground floor level to include single storey rear extensions beyond the original rear wing and the main rear wall of the house. The site incorporates a detached garage and off-street parking provision

for two vehicles to the side of the dwelling. Double yellow lines extend from No.7 Mill Road across the front of the site including the entrance to the parking area to the rear of Millbrook House (which fronts onto Hazelwick Road). The site is located within a controlled parking zone where a resident's parking permit is required to park on-street, and which was introduced to address the parking pressures arising as a result of the area's proximity to Three Bridges Railway Station.

- 1.2 The surrounding area is predominantly residential in character and this section of Mill Road has junctions with Hazelwick Road to the north and New Street to the south. This part of Mill Road contains 5 dwellings: comprising this pair of semi-detached houses on the east side of the road and a terrace of three dwellings of similar design located on the opposite side of the road. The wider area incorporates similar forms of development mixed with some larger dwellings. The northern neighbour in Hazelwick Road (Millbrook House) is sited perpendicular to the site and faces the side elevation of the applicants house. The northern side of the site also faces the rear gardens of other properties in Hazelwick Road. The rear boundary is with No.18 Hazelwick Road to the east.
- 1.3 The application site is located within the Hazelwick Road Conservation Area. The site is located predominantly within Flood Zone 1 which has a low probability of flooding but with a part of the south east corner of the site within Flood Zone 2 which has a medium probability of flooding.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for the erection of a two storey, three bedroomed, attached house, following the demolition of the existing garage on the north side of No.9 Mill Road. This would create a terrace of three houses. Permission is also sought for the erection of a single storey side/rear extension at No.9 Mill Road.
- 2.2 The proposal is very similar to the two storey side extension to 9 Mill Road (CR/2020/0054/FUL) permitted in 2020, in that the size, height and external appearance of the scheme is the same, but rather than being an extension to the existing semi-detached house, a separate dwelling would be created. The internal layout of the resultant two houses reflects that difference.
- 2.3 The proposed new house would be positioned in line with the front elevation of the existing adjacent house No.9 Mill Road and would be 13.9m in length (front to rear). The width of the proposed new house would be 4.6m, with a proposed gap between the side elevation and the retained fence boundary to the north of 0.8m at the front, narrowing to a 0.3m wide gap at the rear. It would have a pitched roof and chimney stack to match the roof of No.9 Mill Road. The two-storey rear projection of the proposed house would extend 3m from the rear elevation and would be 2.8m wide with a gable end roof with eaves levels to match the eaves of the main roof of the existing house. The ridge height of the rear projection would be set 2m below the ridge of the main roof. The proposed windows and doors would mirror the arrangement, style and materials of the existing windows/doors of No.9 Mill Road. The proposed brickwork, including detailing, and slate roof would also match Nos.9 and 7 Mill Road. An obscure glazed window is proposed within the north side elevation at the first floor level to serve the stairs.
- 2.4 The width of No.9 Mill Road's existing front elevation would be increased from 4.1m to 4.3m. Internally the new dwelling would be wider than the retained dwelling with the new dwelling measuring 4.9m and the retained dwelling measuring 4m which is the same as the previous proposals on the site. To the rear, the existing kitchen and bathroom would be replaced with a rear extension of the same length as existing. The resultant single storey projection would extend across the full width of the house and measure 3.5m in height compared with the existing single storey projections 2.6m high flat roof. The extension proposed for no.9 Mill Road would mirror the rear of the proposed house with bi-fold doors in the rear elevation and a 2.8m x 1.2m rooflights located either side of the boundary in the flat roofs of both the existing house as extended and the new proposed house.
- 2.5 The rear garden of the proposed house and that of No.9 Mill Road would measure over 15m in length. The front garden would include a concrete pathway directly from the highway to the front door and would be enclosed with a low level brick wall with capped brick piers and railings. It is also proposed to install the grey water recycling tanks underground in the front gardens of the resultant two houses.

- 2.6 Internally the proposed house would contain a wc, and open plan living, kitchen and dining room area at the ground floor level, three (one double and two single) bedrooms at first floor and a bathroom and storage/study area in the loft space. Number 9 Mill Road would be reconfigured to create an open plan kitchen dining area with shower/utility room and living room on the ground floor. On the first floor, two of the existing bedrooms are to be retained, with the original third bedroom being changed to an ensuite bathroom, thus reducing the property from a three bedroom to a two double bedroom house.
- 2.7 The applicant has submitted the following documents with the application:
- Design and Access & Heritage Statement
 - Affordable Housing Statement
 - Building Height Information
 - Sustainability/Energy Efficiency Statement
 - Schedule of materials
 - Flood Mapping
 - Water Neutrality Statement
- 2.8 Additional information has been submitted in regard to the proposed grey water harvesting tanks to the front of each property and how these would operate.

PLANNING HISTORY:-

- 3.1 CR/2023/0252/FUL
Erection of two storey side and rear extension and single storey rear extension (re-submission of application CR/2020/0054/FUL).

Refused for the following reasons:

1. The development by reason of its lack of parking would not meet the operational needs of the proposed resultant house and would result in an adverse impact on the on-street parking in the area, increasing the hazards to users of the highway contrary to policies CH3 and IN4 of the Crawley Borough Local Plan 2015-30 and the guidance in the adopted Urban Design Supplementary Document.
2. The proposed extension, by reason of its proximity to No. 12 Mill Road and the limited window to window distance, would cause a detrimental impact on neighbouring amenity contrary to Policy CH3 of the Crawley Borough Local Plan 2015-2030.

- 3.2 CR/2021/0844/FUL
Erection of 1 x attached three bed dwelling in side garden space, and erection of single storey side and rear extension and internal alterations to existing dwelling.

The application was refused by the Planning Committee on 12th July 2022 for the following reasons:

1. The development by reason of its lack of parking would not meet the operational needs of the proposed house and existing house and would result in an adverse impact on the on-street parking in the area, increasing the hazards to users of the highway contrary to policies CH3 and IN4 of the Crawley Borough Local Plan 2015-30 and the guidance in the adopted Urban Design Supplementary Document.
2. A legal agreement is not in place to secure the appropriate affordable housing contribution and water neutrality measures required to meet the developments off-site infrastructure requirements and secure the measures required to achieve water neutrality. The proposal is contrary to policies IN1, ENV2 and H4 of the Crawley Borough Local Plan 2015-2030, and fails to address the Natural England Position Statement on water neutrality received on 14 September 2021 that requires 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.

This application was appealed with the inspector disagreeing with the reason for refusal relating to the lack of parking but upheld the reason relating to the lack of a legal agreement as follows:

The Highway Authority has indicated that it does not anticipate the additional on-street parking demand that would arise from the development would have an adverse effect on highway safety. I have no doubt that the Highway Authority would have been mindful of local on-street parking pressures, the extent to which any overspill parking might lead to poorly parked vehicles in congested streets and the extent to which this could raise highway safety concerns.

I accept that one consequence of additional demand for on street parking outside of the restricted hours is that existing and future residents of the area would to some extent be inconvenienced by an increased competition for the available spaces. This would manifest itself in terms of taking longer to find a parking space, or residents having to park further away from their homes. Whilst I acknowledge that this would be an inconvenience, there is not sufficient evidence to indicate that this would amount to an unacceptable impact on their living conditions.

Given my reasoning above, I conclude on this main issue that the proposed development does not need to provide on-site parking. Although I am unable to find that the scheme accords with the CBLP in terms of compliance with the SPD, I am satisfied that the proposal can be justified given this breach would not be unduly harmful.

The provision of a new dwelling that is well located to facilities and services would attract positive weight. I have found the absence of on-site parking would not cause harm, but this would be a neutral factor in the overall balance. However, any positive weight in support of the scheme would not be sufficient to outweigh the harm that the proposal would have on the provision of affordable housing in the Borough.

3.3 CR/2020/0054/FUL

Erection of two storey side and rear extension and single storey rear extension
Permitted - unimplemented and permission now expired.

3.4 CR/2018/0923/FUL

Erection of 1 X Attached Two Bed Dwelling in Side Garden Space and Erection of Single Storey Side and Rear Extension And Internal Alterations to Existing Dwelling.
Refused for the following reasons:

1. The erection of a new residential dwelling within Flood Zone 3a, which has high probability of flooding, is unacceptable as the applicant has not undertaken a risk based approach to avoid, where possible, flood risk to people and property. It is in an inappropriate location being a vulnerable use in an area of high flood risk, it would not provide wider sustainability benefits to the community that outweigh flood risk, be safe for its lifetime or be safe for its occupants and would increase flood risk elsewhere causing greater flood risk to other people and property. The proposal fails to satisfy the sequential and exception tests and is therefore contrary to Local Plan Policy ENV8, Section 14 of the National Planning Policy Framework and para 023 and 033 of the Planning Practice Guidance.
2. An agreement is not in place to ensure that the appropriate contributions for affordable housing are secured. The development is therefore contrary to policies H4 and IN1 of the Crawley Borough Local Plan 2015-2030 and Supplementary Planning Guidance Document 'Affordable Housing'.

3.5 CR/2017/1049/FUL

Erection Of 1 X Attached Four Bed Dwelling in side Garden Space. Withdrawn.

3.6 CR/2017/1054/FUL

Erection of Single Storey Side and Rear Extension and Loft Conversion Involving Erection of Rear Dormer and Internal Alterations. Withdrawn.

PLANNING POLICY:-

National Planning Policy Framework (September 2023)

- 4.1 The NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. More specifically:
- Section 2 (Sustainable Development) – This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective- to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
 - Section 5 (Delivering a sufficient supply of homes) - To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
 - Section 9 (Promoting sustainable transport) – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
 - Section 11 (Making effective use of land) – this section promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use of possible of previously-developed or 'brownfield' land.
 - Section 12 (Achieving well-designed places) - The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Development that is not well designed should be refused.

National Planning Practice Guidance (NPPG) – Flood Risk and Coastal Change

- 4.2 This section of the NPPG advises how to take account of and address the risks associated with flooding and coastal change in the planning process.
- 4.3 The boundaries of the flood risk zones cut across the application site, with most of the proposed site of the extension being within Flood Zone 1. A small part to the rear and much of the garden is within Flood Zone 2.
- 4.4 The NPPG sets out the Flood risk vulnerability classification. In this classification buildings used for dwelling houses are classed as 'more vulnerable' and house-holder development including physical extensions to the existing dwelling itself are classed as minor development. The NPPG also includes the Flood Risk Vulnerability and Flood Zone Compatibility matrix which sets out which type of developments are appropriate in each particular flood zone.

Crawley Borough Local Plan (2015-2030) (adopted December 2015)

- 4.5 The relevant policies include:
- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town and the spatial patterns relating to the neighbourhood principles, when considering development proposals, the council will take a positive approach to approving development which is sustainable.

- Policy CH1: Neighbourhood Principle will be protected and enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places. Development proposals will be required among others to respond to and reinforce locally distinctive patterns of development and landscape character and protect and/or enhance heritage assets and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- Policy CH3: Normal Requirements of All New Development states all proposals for development will be required to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; retain existing individual or groups of trees; incorporate “Secure by Design” principles and demonstrate how the Building for Life 12 criteria would be delivered. Development proposals must adhere to any relevant supplementary planning guidance produced by the council.
- Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents.
- Policy CH6: (Tree Planting and Replacement Standards) requires at least one new tree for each new dwelling.
- Policy CH12: Heritage Assets seeks to ensure heritage assets are not lost to development and the impact on their setting is acceptable.
- Policy CH13: Conservation Areas states all development within a Conservation Area should individually or cumulatively result in the preservation or enhancement of the character and appearance of the area.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less, a commuted sum towards off-site affordable housing provision will be sought.
- Policy ENV6: Sustainable Design and Construction requires development to demonstrate how it will meet sustainability objectives both in its design and construction processes.
- Policy ENV8: Development and Flood Risk. Development proposals must avoid areas which are exposed to an unacceptable risk of flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new ‘optional’ water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- Policy ENV 12: (Air Quality) states that proposals that do not result in a material impact on air quality will normally be permitted.
- 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.

- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.
- Policy IN4 Car and Cycle Parking Standards. Car parking standards for residential development are based on the accessibility of the area, the levels of car ownership, and the size of any new dwellings.

Draft Crawley Borough Local Plan 2024-2040

4.6 The Local Plan Review 2024-2040 was approved for Regulation 19 consultation by Full Council on 22 February 2023. Public consultation has now concluded, and the Local Plan was submitted for examination on 31 July 2023. Appropriate weight should therefore be given to the following policies:

Policy SD1: Presumption in Favour of Sustainable Development
 Policy SD2: Enabling Healthy Lifestyles and Wellbeing
 Policy CL1: Neighbourhood Principle
 Policy CL2: Making Successful Places: Principles of Good Urban Design
 Policy DD1: Normal Requirements of All New Development
 Policy DD2: Inclusive Design
 Policy DD3: Standards for All New Dwellings (including conversion)
 Policy HA1: Heritage Assets
 Policy HA2: Conservation Areas
 Policy IN1: Infrastructure Provision
 Policy IN3 Supporting High Quality Communications
 Policy H1: Housing Provision
 Policy H3: Housing Typologies
 Policy H3b: Densification, Infill Opportunities and Small Sites
 Policy H4: Future Housing Mix
 Policy SDC1: Sustainable Design and Construction
 Policy SDC3: Tackling Water Stress
 Policy EP1: Development and Flood Risk
 Policy EP4: Development and Noise
 Policy ST1: Development and Requirements for Sustainable Transport
 Policy ST2: Car and Cycle Parking Standards

Supplementary Planning Documents

4.7 The Supplementary Planning Documents below supplement the policies of the Local Plan. Those applicable to this application are:

Planning and Climate Change SPD 2016

- Developers should seek to make the reduction of energy demand an integral part of the design and development processes. Developments must meet relevant requirements of Part L of the Building Regulations as a minimum, but should also consider how they might exceed these.
- Householder developments - where works of this nature affect the envelope of a building or its building services (e.g. heating, ventilation, air conditioning) they will need to meet minimum energy efficiency requirements under part L of Building Regulations, as set out in approved document L1B (dwellings) or L2B (non-residential buildings).
- Flood Risk Management - development proposals in Crawley will be assessed in relation to flood risk, in order to establish the information and measures required to satisfy the Policy, this guidance should be read in conjunction with the NPPF, PPG and the Crawley SFRA. In general, the requirements arising from ENV8 will vary according to the type of development proposed, as well as the size and location of the site. Depending on the flood zone or zones in which the site lies, additional information may be required when applying for planning permission. One important factor to consider in interpreting these requirements is the relative vulnerability of different types of development to flooding, as set out in Table 2 of the PPG. This will have a bearing on whether the proposal needs to satisfy the exception test, or whether indeed the proposal is likely to be unacceptable in principle (see Table 3 of the PPG).

Hazelwick Road Conservation Area Statement

4.8 This adopted Conservation Area Statement has been prepared by Hazelwick Road Conservation Area Advisory Committee (HCAAC) and Crawley Borough Council to identify the key historic and architectural features that form the Hazelwick Road townscape and contribute to its special character. The designation of this area as a Conservation Area reflects both its historic association with the expansion of the railways, and the architectural interest of its streetscape. Its special character is shaped by its formal urban structure, defined by the consistent scale and massing of its built form, uniformity of building lines, and continuity of its frontages along both sides of the street.

PLANNING CONSIDERATIONS:-

5.1 The main considerations in the determination of this application are:

- Principle of the development
- Impact on the character and appearance of the Conservation Area
- Impact on the amenities of neighbouring occupiers
- The impact upon the highway, parking and the operational requirements of the development
- The resultant living conditions of future occupiers
- Flood risk
- Sustainability
- Affordable housing, CIL and other requirements
- Water neutrality.

Principle of the development

5.2 The site lies within the built-up area and in a predominantly residential area so, in general terms, development for residential purposes is acceptable in principle.

The design and appearance of the proposal and its impact on the street scene and character of the Conservation Area

5.3 The proposal is within the Hazelwick Road Conservation Area where all development must preserve or enhance the character and appearance of the area (Local Plan Policy CH13). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. The National Planning Policy Framework (NPPF) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting.

5.4 The Conservation Area Statement for Hazelwick Road describes the character that is to be preserved/enhanced. It states; *“any new buildings should be of a high quality design and should respect the character and appearance of the Conservation Area. This can be achieved through achieving consistency with the existing scale, massing, building set-back, materials and colours, and decorative features found in the Conservation Area as detailed in Part 3 of this document”*. The following paragraphs assess the proposal against this and Part 3 of the Statement:

5.5 Hazelwick Road Conservation Area is predominantly residential in nature. Buildings take the form of a mix of two storey semi-detached dwellings and terraced railway cottages. Terraces are predominantly of three or four houses. There is a strong uniformity to building lines with small set-backs from the highway, low level fences/boundary walls or planting which create a townscape feature of value to the Conservation Area. The proposal would continue the scale, massing and general form of the existing semi-detached dwellings No.7 and No.9 Mill Road to the south by mirroring those properties in terms of building width, height and length, The roof pitch and main ridge and eaves height would also match the two neighbouring houses to the south. The proposal would continue the building line of the existing houses and siting would result in a terrace of three houses. This would mirror the terrace of three properties directly opposite the site on the west side of the road and

therefore the resultant design is considered consistent with the overall character of the Conservation Area and in keeping with the existing street-scene. The external design is also the same as that previously approved under CR/2020/0054/FUL for the extension scheme.

- 5.6 The existing two houses have been constructed from local stock brick with detailing including red brick detailing around the windows and doors and interlocking quoins and slate roofs. The proposed new house would replicate the detailing from No.9 Mill Road and the surrounding properties by matching the existing brick and roof materials. The detailing of the quoins and around windows/doors would also match the existing houses. A condition is recommended to any permission to ensure the exact specification of these materials and the detailing is controlled.
- 5.7 Chimneys are a prominent feature of the Conservation Area providing historic context and visual interest. The proposal includes a chimney stack to match the adjacent existing dwellings chimney stack which also includes the characteristic red brick detailing. Any permission would include a condition to ensure the materials and detailing of the chimney are in keeping with the character of the Hazelwick Road Conservation Area.
- 5.8 Recessed doorways, are a feature of a number of houses in the area and the proposal includes a recessed doorway and brick detailing which is in keeping with properties within the Conservation Area. A painted timber 4 panel front door with fan light window is proposed to the front elevation of the new house which would match the traditional entrances that are a characteristic of some houses in the Conservation Area.
- 5.9 Windows within the area are traditionally wood framed vertical sliding sashes. The application continues this feature by proposing wooden framed sliding sash windows. The proportions and pattern of windows match No.9 Mill Road reflecting the character and appearance of the Conservation Area. A condition is recommended to require details of the window joinery to be approved and then implemented. An aluminium bi-fold door is proposed to the rear of the property. This is different from the traditional rear of properties in the Conservation Area but is not visible from any public viewpoints and it is not considered to be harmful to the character of the Conservation Area.
- 5.10 Boundary treatments within the Conservation Area frequently take the form of low brick front walls, with capped piers. Other low level boundary treatments include wooden fencing, concrete walls or hedging which are more recent and less sympathetic to the Conservation Area setting and detract from its character. The proposal includes a low level brick wall with capped brick piers and railings along the front boundary. This is considered to be a more traditional form of boundary treatment that would be in keeping with the character of the Conservation Area and an improvement on the existing pierced concrete wall.
- 5.11 It is considered that the proposals would therefore be of an acceptable siting, scale, design and materials, and would not harm the appearance of the dwelling or the street-scene of Mill Road. This is confirmed by the Planning Inspector whom raised no comments regarding the design and appearance of the proposed development. It is therefore considered that the development would be in accordance with Policies CH2 and CH3 of the Crawley Borough Local Plan (2015-2030). It is also considered that the proposal would not conflict with the aims of the heritage policies that seek to preserve or enhance the character and appearance of the Conservation Area. The proposal would not result in harm to this heritage asset. The proposal would therefore also be in accordance with Local Plan Policy CH13: Conservation Areas.

The impact upon neighbouring properties and occupants' amenities

- 5.12 This application would maintain a 0.7m gap between the north side elevation of the new house and the fence boundary to the rear of Millbrook House. To the north of the fence is the parking area and patio amenity area for the flats in Millbrook House. Millbrook House itself is approximately 20m from the proposed north side elevation of the proposed new house. Approximately 1m of the length of the single storey rear extension would be alongside the rear garden of No.24 Hazelwick Road. An obscure glazed landing window is proposed on the north side elevation at the first floor level facing Millbrook House. It is considered that the 20m proposed distance between the north side elevation and facing properties, (the Urban Design Guidance recommends a distance of at least 10.5m between

a blank two storey elevation and facing habitable windows), and that the only window would be obscure glazed and fixed shut to 1.7m from ground level is sufficient to prevent the development having a harmful impact upon the amenities of occupiers of Millbrook House and No.24 Hazelwick Road.

- 5.13 To the east of the site is the rear garden of No.18 Hazelwick Road. This house is located to the north east of the application site and due to the angle there would be no direct window to window relationship. There would be approximately 25m between the 1st floor of the proposed new house and the closest part of this neighbouring house. This relationship would comply with the Urban Design SPD that sets out that a distance of 21m between facing 1st floor windows is acceptable to prevent harmful overlooking. This neighbouring house has a garden that is approximately 31m in length north to south and the rear facing 1st floor window would therefore only directly overlook the very rear of its garden over 17m away. It is therefore considered that in the and an adequate length of garden would be maintained, the proposal would not cause harm to the amenity of the occupants of this property.
- 5.14 To the south of the site is No.7 Mill Road which is attached to No.9 Mill Road. The proposed single storey extension to the existing house, No.9, would have the same projection to the rear as the neighbours existing single storey rear extension. The proposed extension would have a flat roof and would be 3.5 metres in height. It is not considered that this increase in height of 0.9m over the existing single storey projection would impact on the amenity of the occupiers of No.7 Mill Road in relation to dominance or overshadowing or a loss of privacy, due to the neighbours extension being immediate adjacent to the proposal and screening it from most views from the south.
- 5.15 The front elevation of the proposed house would be in line with the front elevation of No.9 Mill Road and would be located opposite No.12 Mill Road, on the other (west) side of the street. The gap between the front elevation of the new dwelling and the front elevation of 12 Mill Road would be 9 metres and would include the intervening public highway. The most recent refusal at this site, application CR/2023/0252/FUL, cited the following reason for refusal:
- The proposed extension, by reason of its proximity to No. 12 Mill Road and the limited window to window distance, would cause a detrimental impact on neighbouring amenity contrary to Policy CH3 of the Crawley Borough Local Plan 2015-2030.*
- 5.16 The relationship between the new dwelling and No.12 would be the same as the existing properties within this stretch of Mill Road with No's 9 and 7 facing onto No's 8, 10 and 12 Mill Road with the same 9m separation distance. Whilst currently there isn't a property directly facing No. 12 the introduction of a the new house would not result in the same impact that which already exists as a result of the existing windows at No 9 which face No 12 separated from each other by a public highway. This relationship is not unusual within the locality with properties within New Street also having a similar relationship to facing neighbouring houses on the opposite side of the road. Further the recent appeal decision did not raise any concerns with this relationship. It is therefore considered that as the relationship would be the same as the existing houses facing each other along Mill Road, the proposal would not cause a harmful loss of light, outlook or privacy.
- 5.17 In summary it is considered that the proposal would comply with Policy CH3 of the Local Plan and guidance contained within the Urban Design SPD in terms of neighbour impacts. The impact of the proposed parking provision on residential amenity is addressed in the highways and parking provision section below.

Parking and Highway Safety

- 5.18 Policy CH3 'Normal Requirements of All New Development' of the Crawley Borough Local Plan states that all proposals for development will be required to meet the requirements necessary for their safe and proper use, in particular access, circulation and manoeuvring, vehicle and cycle parking. Policy IN4 'Car and Cycle Parking Standards' states that development will only be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs. The Borough's parking standards contained within the Urban Design SPD seek a minimum of 2-3 spaces for a 3 plus bedroom dwelling in the Three Bridges Zone.

- 5.19 The existing property at No.9 Mill Road has a garage and space for the parking of 2 vehicles to the side of the dwelling. WSCC Highways has advised on the previous applications for the new dwelling (ref: CR/2021/0844/FUL) and the most recent application for a two-storey side extension (ref: CR/2023/0252/FUL) that the existing garage is not deemed to be fit for purpose and would not contribute to the parking provision of the existing dwelling. Thus the dwelling currently has 2 off-street spaces available. The proposed new dwelling would result in the removal of the off-street parking provision (2 spaces) for the existing property. The new dwelling would have 3 bedrooms and the retained dwelling 2 bedrooms and so neither would meet the requirement for a minimum of 2- 3 off street spaces for a 3+ bedroom dwelling at this location.
- 5.20 A number of comments from neighbours as well as a petition has been received that raise concerns that the proposal would increase parking pressure in the area creating problems for residents being unable to park within the locality. The representations also raise concerns that this would result in highway safety issues due to cars being parked in inappropriate locations. A parking survey on Mill Road has also been undertaken by the residents at various times throughout the day, morning and evening. This survey shows that there was always either one or two car parking spaces available in Mill Road.
- 5.21 WSCC Highways (Local Highway Authority, LHA) comment that:
- 'The LHA previously provided consultation advice for this site for application CR/2023/0252/FUL, raising no highway safety concerns. They advise that the existing vehicular access is to be closed off as a result of the siting of the proposed dwelling. The LHA does not anticipate that the proposed development would give rise to a significant material intensification of movements to or from the site. An existing garage with hardstanding will be lost as part of the proposals, and a nil car parking provision is proposed. Under Crawley Parking Standards, the LHA would expect both the existing and proposed dwellings to provide four car parking spaces in total. As such, vehicular parking would have to be accommodated on-street. Whilst on-street parking is limited in the area, there are comprehensive parking restrictions in place prohibiting vehicles from parking in places that would be detrimental to highway safety.*
- The LHA does not anticipate that the proposed nil car parking provision would lead to a highway safety concern or parking capacity issue in this location. However, the LPA are advised to consider the potential impacts on on-street parking from an amenity point of view. Weight is given to the fact the site is situated in a sustainable location within walking/cycle distance of local services, amenities, and public transport connections. The LHA would request that secure cycle parking provision for at least two bicycles be provided for the proposed dwelling in accordance with Crawley Parking Standards.'*
- 5.22 In summary, in regard to the current application, the LHA does not consider that this current proposal would have an unacceptable impact on highway safety or result in 'severe' cumulative impacts on the operation of the highway network. The development would therefore not be contrary to the National Planning Policy Framework (paragraph 111), and there are no transport grounds to resist the proposal.
- 5.23 The site is located within Controlled Parking Zone (CPZ) F2 where residents can apply for a permit to park within the area. The CPZ restricts parking to permit holders only between 9am – 5pm Monday to Saturday. The CPZ includes Mill Road, New Street, Hazelwick Road, Crabbet Road and part of Three Bridges Road. Crawley Borough Council Parking Services have confirmed that there is currently parking capacity within the CPZ as 77% of the permits for this zone having been issued. It however advises that if more people have permits this would impact on the CPZ and this would be exacerbated by the loss of two parking spaces at the property.
- 5.24 The representations received state that there are a lack of parking spaces in the evening and Sundays (when the CPZ is not in operation). Thus in the evening when there are no restrictions on parking in the bays, this area is under more parking pressure from residents and from those using the train station.

- 5.25 Before the determination of the planning application CR/2021/0844/FUL for a new dwelling at this site. Officers undertook a parking survey to identify the parking situation within the locality at various times throughout the day, during evenings and at weekends. The results are set out below:

	New Street	Mill Road (one-way)	Hazelwick Road	Mill Road (two-way) up to the corner
8th June 2022 @ 12:00 (Wednesday)	8	1	In excess of 20 spaces free	6
9th June 2022 @ 21:20 (Thursday)	3	0	13	4
13th June 2022 @ 14:30 (Monday)	8	3	In excess of 25 spaces free	7
16th June 2022 @ 21:00 (Thursday)	1	1	13	3
22nd June 2022 @ 11.05 (Wednesday)	10	1	In excess of 20 spaces free	4
25th June 2022 @10.45 (Saturday)	9	3	In excess of 25	5
25th June 2022 @ 17:10 (Saturday)	9	1	24	5
26th June 2022 @ 15:00 (Sunday)	3	0	15	3

- 5.26 Whilst the survey was undertaken last year, it is not considered that the situation would have materially changed in the intervening period. The survey identified that on-street parking was available close to the application site on every visit to the area. The parking survey submitted by the residents was undertaken in January 2023 and May 2023 (this took into consideration Mill Road, but none of the surrounding roads and is therefore more limited in its scope), but this also confirmed that there were parking spaces available at these times. The Council's and local residents' surveys therefore provides evidence that there is adequate on street parking provision within the local area to accommodate the loss of the two parking spaces on the application site.
- 5.27 Further the LPA are now in receipt of the Planning Inspectorates Appeal Decision for application CR/2021/0844/FUL for a new dwelling which is identical to this current submission. The Planning Inspector stated the following:

Mill Road is a one-way road with no pavements. It is located close to Three Bridges station and therefore the area is subject to a controlled parking regime during the day. Residents have indicated that there are on-going problems with on-street parking capacity in Mill Road and the surrounding area. Residents are concerned with the effect this would have on their ability to park and undertake their normal activities. The Council is principally concerned that any additional demand would impede the operation and safety of the highway although it also acknowledges that it would impede existing residents' ability to park their cars.

The appellant has not undertaken a parking stress survey. Instead, the appellant relies on the officer report and previous approvals for extensions to the existing dwelling which accepted an absence of parking on the site, albeit for one large dwelling as opposed to two separate dwellings.

Officers undertook four site visits which indicated that there was spare capacity on street during the day when the parking restrictions were applicable. My own site visit was also during the day when the restrictions were in operation. Although my visit is only a snapshot, my observations were similar to those of officers in that there appeared to be sufficient on-street parking capacity near the appeal site to accommodate the likely demand from the development.

An evening site visit by officers was said to also show on-street capacity. However, I am not aware that this visit was during the night (00:30 to 05:30) when parking demand is reasonably expected to be at its highest and when a parking stress survey would ordinarily take place.

Substantive evidence is therefore limited. However, the officer report does note that 80% of permits for this zone have been issued. This suggests that there is scope for additional permits to be issued and thus capacity for additional cars to be parked during the restricted hours. This broadly tallies with both the officer observations and my own.

I do not doubt from the representations made by interested parties that there are instances when levels of demand make finding available on-street parking difficult. However, in light of the foregoing, this is likely to be most apparent outside of the restricted hours.

Importantly, the Highway Authority has indicated that it does not anticipate the additional on-street parking demand that would arise from the development would have an adverse effect on highway safety. I have no doubt that the Highway Authority would have been mindful of local on-street parking pressures, the extent to which any overspill parking might lead to poorly parked vehicles in congested streets and the extent to which this could raise highway safety concerns.

I accept that one consequence of additional demand for on street parking outside of the restricted hours is that existing and future residents of the area would to some extent be inconvenienced by an increased competition for the available spaces. This would manifest itself in terms of taking longer to find a parking space, or residents having to park further away from their homes. Whilst I acknowledge that this would be an inconvenience, there is not sufficient evidence to indicate that this would amount to an unacceptable impact on their living conditions.

Given my reasoning above, I conclude on this main issue that the proposed development does not need to provide on-site parking. Although I am unable to find that the scheme accords with the CBLP in terms of compliance with the SPD, I am satisfied that the proposal can be justified given this breach would not be unduly harmful. On balance, I find that the proposal accords with the overall objectives of Policy CH3 of the CBLP insofar as it allows the development to meet the requirements for its safe and proper use and that the environment of the existing residents would be sufficiently protected.

- 5.28 It is therefore considered taking into account all the available evidence and the Inspectors appeal decision with regard to CR/2021/0844/FUL that although there would be a shortfall of 4 on-site spaces, the existing on-street parking arrangements in the daytime and the spaces available in the evening in the nearby area would be sufficient to meet the demand created by this proposal and would not make the parking situation materially worse.
- 5.29 In regard to the impact on the locality during construction of the development, the LHA advised on application CR/2021/0844/FUL that it is a legal offence under the Highways Act to obstruct the highway, while delivery lorries would only cause a minor disruption. Materials being left on the highway would also be considered as an obstruction of the highway. This means the LHA can enforce against obstructions of the highway or if its deemed unsafe, this would be enforced by Sussex Police. The applicant could however apply for a license to suspend the Traffic Regulation Order (TRO) in this location and could also apply for a license to store materials on the highway. These would be subject to their own criteria during the course of the application process.
- 5.30 Whilst the proposal does not meet the Borough Council's indicative parking standards it is considered that the shortfall is justified as there is sufficient capacity in terms of on-street parking within the area, in addition to the site being a highly sustainable urban location. The site is in close proximity to public transport and local facilities in Three Bridges, where it is not unusual for dwellings to have no off-site parking. The proposal could also provide adequate cycle parking to facilitate sustainable travel for

residents. It cannot therefore be substantiated that a shortfall of 4 car parking spaces would result in highway safety issues and it is not considered there is a justification for refusal on highways grounds, a point that has recently been further reiterated by the recent appeal decision. It is therefore considered that the development comprising a new dwelling would be in accordance with Policy CH3 of the Local Plan in this regard.

Living conditions of future occupiers

- 5.31 Policy CH5: Standards for all New Dwellings states that new dwellings must create a safe, comfortable and sustainable living environment and sets out minimum sizes for each dwelling, which is based on the Nationally Described Space Standards (NDSS). According to Policy CH5, a three storey 3 bedroom dwelling for 4 persons should provide a minimum internal floorspace of 90 sqm. The internal floorspace of this dwelling would be 104sqm which would meet the standard. The floor to ceiling height of the main living area would be 2.6m which would meet the 2.3m standard.
- 5.32 The proposed double bedroom would have a floor area of 17sqm and a width of 4.5m which would meet the 11.5sqm space standard and 2.75m width requirements of the NDSS and Local Plan and Policy CH5. Bedroom 2 (single bedroom) would have a floor area of 9sqm and width of 2.6m and bedroom 3 (single bedroom) has a floor area of 7.9sqm and a width of 2.3m. Both single bedrooms meet also the 7.5sqm space standard and 2.1m width standards of the NDSS and policy CH5. Each habitable room would also be provided with a window that would provide occupants with an outlook and daylight. The proposed dwelling would therefore comply with the minimum National Space Standards, resulting in acceptable living accommodation being provided for future residents.
- 5.33 The Urban Design SPD (adopted October 2016) includes Crawley's outdoor amenity space standards. For a dwelling with three bedrooms space for 4 occupants the external private amenity space standard is 75sqm. The proposed house would have 80sqm based on the block plan of external private amenity space and would therefore comply with the standard, it would be acceptable. The resulting amenity space at No.9 Mill Road measures 66sqm based on the block plan and this would be below the below standard by approximately 9sqm. This is a relatively small shortfall in the outdoor amenity space provision for this house. It is also proposed to remove permitted development rights from both the existing house as extended and the proposed new dwelling, to restrict additional developments in the gardens. It is therefore considered on balance that both properties would be provided an acceptable amount of external private amenity space.
- 5.34 It should be noted that no refuse/recycling storage details have been submitted as part of the application, although there would be space in the small front gardens for these. As this has not been specified on the submitted plans, any permission should require a condition to address this.

Flood Risk

- 5.35 As noted in the earlier reports to committee, the boundaries of the flood risk zones cut across the application site, with most of the application site being within Flood Zone 1 and a small part in Flood Zone 2. The Flood Risk map in detail, shows that the front of the existing dwelling is in Flood Zone 1, with part of the rear portion of the existing house and its retained rear garden being in Flood Zone 2. The northern half of the application site where the new house would be sited would be within Flood Zone 1, although a small part of the south-east corner of this house and most of the rear garden is within Flood Zone 2.
- 5.36 The single storey rear extension to 9 Mill Road would be classed as a 'minor development' as it would measure less than 250sqm. There is no objection in principle to this type of development and the Environment Agency's Standing Advice would need to be applied. This states that finished floor levels need to be 300mm above the average ground level for the site and extra flood resistance and resilience measures would need to be provided. The plans show that the FFL of the extension would be the same as the existing dwelling which would be +69.8m which would be 300mm higher than the external ground level at the rear of the existing dwelling. In terms of flood resilience measures a condition is recommended to ensure that these measures are provided before the dwelling is occupied. This approach was accepted in regard to the application for the previous applications on the site.

- 5.37 In regard to the new house the majority of the property would be located within Flood Zone 1, with only a small portion of the single storey rear element within Flood Zone 2. This would cover less than 8% of the ground floor area of the building and would be used as a kitchen / dining room. In these circumstances it is considered that the development would be classed as appropriate and therefore the sequential test has been followed by steering new development to FZ1 and FZ2. The finished floor level would also match that of the existing property at 9 Mill Road.
- 5.38 Crawley Borough Council's Drainage Engineer advised on the previous application that the ground floors of the new dwelling and the extension that lie within Flood Zone 2 should not be used for sleeping. The new finished floor level (FFL) should not be higher than the existing FFL (+69.8m), but rather the property should be allowed to flood (so that it does not take area out of the flood plain) while flood resilience measures and materials should be used for construction. A condition is recommended to ensure flood resilience measures and the floor levels are implemented in accordance with these requirements. A condition is also recommended to show how surface water runoff will be mitigated as well as confirmation from Thames Water that they have capacity and are willing to take in increase in surface water runoff as a result of the development.
- 5.39 It is considered that the proposal would not result in an adverse impact in regard to flood risk or drainage, subject to conditions and as such would accord with development plan policy in this regard.

Sustainability

- 5.40 Policies ENV6 and ENV9 and the Planning & Climate Change SPD are relevant to this proposal from a climate change mitigation & adaptation perspective. Policy ENV6 requires the submission of a Sustainability Statement responding to the six 'sustainability objectives' set out in the policy. It requires that new homes meet the on-site energy performance standards of Building Regulations, and any subsequent increased requirements. Policy ENV9 requires that new dwellings meet the 'optional' Building Regulations water efficiency limit of 110 litres per person per day. The Planning & Climate Change SPD provides further guidance as to how applications can comply with these requirements.
- 5.41 The proposal is supported by a Sustainability/Energy Efficiency Statement. This identifies the policies outlined above and sets out briefly and in qualitative terms how the proposal seeks to respond to them. It states that the development will meet baseline national Building Regulations standards, although it is not clear by how much, if at all, it would exceed them. Other measures are identified, including the specification of energy efficient lighting and white goods, the upgrading of the heating system of the existing building, smart energy metering, aspirations to limit waste and the loss of embodied carbon as part of the construction process, and the intention to adhere to the 110 litres/person/day water efficiency requirement.
- 5.42 The above measures effectively meet the minimum requirements of the identified Local Plan policies for a development of this scale, and are therefore considered acceptable from the Local Plan perspective subject to the imposition of conditions relating to the implementation of the measures identified in the Sustainability/Energy Efficiency Statement.

Affordable housing, CIL and other requirements

- 5.43 Crawley Borough Local Plan Policy H4, in respect of affordable housing, states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less, a commuted sum towards off-site affordable housing provision will be sought. The Affordable Housing SPD, sets out how financial contributions for the creation of new dwellings on sites of 5 or less will be secured in accordance with policy H4. The policy also states that these targets will apply to all residential developments unless evidence can be provided to show that the site cannot support these requirements from a viability perspective.
- 5.44 Using the affordable housing calculator within the Affordable Housing SPD, the applicant would be required to pay a contribution of £12,950 based on an internal floor area of 111sqm. During the course of the application, the applicant has agreed to provide a commuted sum of £12,950 towards affordable housing provision elsewhere, which would be secured by a S106 legal agreement. As such the proposal would be in accordance with Policy H4 of the Crawley Borough Local Plan (2015-2030).

- 5.45 This application would be liable for the Community Infrastructure Levy (CIL) which came into effect on 17th August 2016. The final CIL charge will be communicated to the applicant via the development's Liability Notice.
- 5.46 Policy CH6 requires a new tree to be planted for each new dwelling. This can be accommodated on the site as part of an agreed landscaping scheme, and can be secured by a condition.

Water Neutrality

- 5.47 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.
- 5.48 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.
- 5.49 Under the Conservation of Habitats and Species Regulations 2017, 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 matter of law, applications for planning permission in the SNWRZ 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.
- 5.50 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 the 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.
- 5.51 The proposed development includes the refurbishment of the existing dwelling and the construction of a new dwelling. The submitted water neutrality statement was previously independently assessed for CBC by specialist consultant who has advised that on the basis of the information provided it has been shown beyond reasonable scientific doubt that the development would be water neutral subject to the water saving measures proposed for both the existing and new houses. The refurbishment of the existing dwelling enables full replacement of the existing water fixtures and fittings, and will result in a reduction in bedrooms to two, whilst the proposed new dwelling will have three bedrooms. An occupancy rate of four is assumed in each dwelling which is reasonable, especially given the proposed fixtures and fittings will be the same in each dwelling. The occupancy rate of 4 for the existing houses has been assumed in the existing water use calculation.
- 5.52 The applicant proposes to install water efficient fittings and has provided a list of the products and specifications. The water demand is calculated using the Building Regs Part G methodology. The product specifications were checked, and all fittings performed overall at or better than the consumption rates used in the calculation and the calculation is therefore precautionary. Additional water savings will be achieved by installing grey water recycling for toilet flushing only which would be in the form of a 277-litre tank installed underground in the front garden. The required use for toilets is approximately 25% of the grey water that would be available and therefore it is reasonable to assume that this would be acceptable. The robust calculated water demand for the two dwellings, with eight persons, is 584 litres per day.
- 5.53 The Council consultants in responding to the previous application (ref. [CR/2021/0844/FUL](#)), assessed the water calculations and other details submitted, and agreed with the assumptions and conclusions

that the development would be water neutral. There has been no material change to the water neutrality issues since the previous application and it is therefore considered that, provided the development is implemented in accordance with the evidence provided, by installing all the specified fixtures and fittings and use of grey water recycling, the development would be water neutral. A S106 legal agreement is required to ensure the measures proposed by the applicant which relate to the 2 properties involved are fully implemented before the new dwelling is occupied. It will also require the measures to be secured for the lifetime of the development. The S106 agreement would ensure that the obligations apply to the owner(s) of the site and any successors in title, when the site is sold on.

- 5.54 Based on these findings an Appropriate Assessment document was sent to Natural England for consideration (as required under Habitat Regulations). Natural England advises that it has no objection subject to the appropriate mitigation measures being secured. It advises that without appropriate mitigation the application would have an adverse effect on the integrity of Arun Valley Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. The measures will be secured via the S106 agreement which is currently being prepared. Subject to this, the proposal would be water neutral.

CONCLUSIONS:-

- 6.1 The proposal has been designed so that it would be in keeping with the scale, massing, form and character of the existing site and surrounding area. The proposal is also considered to preserve the character and appearance of the Conservation Area. The proposal is not considered to adversely impact upon residential amenity in terms of loss of light, loss of privacy or an overbearing impact. In terms of parking, whilst the loss of two/three parking spaces is acknowledged, this is a sustainable location, where there is capacity on the nearby roads to accommodate further vehicles associated with the existing and the new dwelling. The loss of these spaces would not therefore make the situation materially worse for the residents and there would be no highway safety/capacity issues as a result of the loss of spaces. It is considered that the proposal for a new dwelling would not result in an adverse impact in regard to Flood Risk. The applicant has also demonstrated that the proposal would be water neutral, and an affordable housing contribution is to be secured by legal agreement.
- 6.2 As a result, the proposal is considered to accord with the policies and objectives outlined in the Crawley Borough Local Plan (2015-2030), the Supplementary Planning Guidance notes and the NPPF (2023). It is therefore recommended to grant planning permission subject to the conclusion of the s106 agreement and subject to the imposition of relevant conditions.

RECOMMENDATION RE: CR/2023/0484/FUL:-

Delegate the decision to permit the application to the Head of Economy and Planning, subject to the conclusion of a Section 106 legal agreement to secure the affordable housing contribution and the water neutrality mitigation measures, and the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and detailing to be used in the development hereby permitted shall strictly accord with the approved plans together with the details indicated within the 'Materials and Details' document dated 18th August 2023 and associated 'Imperial brick' data sheet and 'Del Carmen' roofing data sheet submitted with the application.
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. Prior to the occupation of the development hereby permitted, details of covered and secure cycle parking shall be submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved details.
REASON: In the interests of road safety and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment dated March 2020 and covering letter dated 18 May 2020 which includes the following mitigation measures:
 - i) Finished floor levels shall be set no lower than 69.78 m above Ordnance Datum (AOD).
 - ii) No ground floor sleeping is introduced.
 - iii) All flood resilience measures referenced in the Flood Risk Assessment are undertaken.These mitigation measures shall be fully implemented prior to occupation and in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.
REASON: To reduce the risk of flooding to the proposed development and future occupants and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
6. Prior to the occupation of the development hereby permitted, a water butt or similar feature of not less than 4.48 cubic metres shall be installed at the rear of the property, and thereafter be retained for the duration of the development.
REASON: In order to compensate for the loss of permeable surface and to ensure the development does not increase flood risk elsewhere in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030.
7. The development shall not be occupied until the measures detailed in the submitted Sustainability/Energy Efficiency Statement dated 11 November 2021 (with planning portal reference updated 18 August 2023) have been implemented, and until design-stage SAP calculation summaries for the new dwelling consistent with, or improving upon, the identified level of environmental performance, have been submitted to, and approved in writing by the Local Planning Authority.
REASON: In the interests of environmental sustainability, in accordance with Policy ENV6 of the Crawley Borough Local Plan 2015-2030, Policy SDC1 of the submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.
8. The new dwelling hereby permitted shall not exceed 9.4m above the existing ground level when measured to the top of the chimney pots to ensure that the new dwelling matches the height of 9 Mill Road.
REASON: In the interests of visual amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
9. Notwithstanding the provisions of Schedule 2, Part 1, Class A, Class B, Class C, Class D, Class E and Class F of the Town and Country Planning General Permitted Development Order 2015 (as amended) or orders amending or revoking and re-enacting the same, the buildings hereby approved shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.
REASON: In order to safeguard the character and visual amenities of the Conservation Area, to protect the amenities and privacy of the adjoining properties and to prevent obstruction to the flow and storage of floodwater, with a consequent increased risk of flooding, in accordance with policies CH3, CH13 and ENV8 of the Crawley Borough Local Plan 2015-2030.
10. The first floor window on the north elevation of the building shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening to a height of 1.7m from floor level.
REASON: To protect the amenities and privacy of the adjoining property, in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revising, revoking and re-enacting that Order with or without modification), no windows or other openings (other than those shown on the plans hereby approved)

shall be formed in any elevation or the roof of the proposed dwellings without the prior permission of the Local Planning Authority on an application in that behalf.

REASON: To protect the amenities of adjoining residential properties against overlooking and loss of privacy in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

12. No development above slab level shall take place unless and until a scheme to provide superfast broadband to the dwelling hereby approved has been submitted to and been approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to the occupation of the dwelling unless otherwise agreed in writing by the Local Planning Authority.
REASON: To help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.
13. No development above slab level shall take place until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme. The approved details of the landscaping, which shall include a tree in the garden of the new dwelling, shall be carried out in the first planting and seeding season, following the occupation of the dwelling 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 development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the amenity and of the environment of the development in accordance with Policy CH3 and CH6 of the Crawley Borough Local Plan 2015 - 2030.
14. Prior to first occupation of the new dwelling hereby permitted, the water efficiency measures including the physical fittings as specified in the Water Neutrality Statement v2 dated 18th August 2023 shall be implemented in full.
REASON: Taking account of the Natural England Position Statement on water neutrality received on 14 September 2021 and 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.

INFORMATIVES

1. No machinery/vehicles/or plant/shall be operated on the site/premises except between the hours of:- 7.00 a.m. and 6.00 p.m. on Mondays to Fridays inclusive, 7.00 a.m. and 1.00 p.m. on Saturday, not at any time on Sundays or Public Holidays.
REASON: In the interests of amenity.
2. The applicant is advised to avoid peak times when receiving deliveries to ensure that the development does not prejudice highway safety nor cause inconvenience to other highway users.
3. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - a) Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - b) A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - c) Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefiting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

1. NPPF Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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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