

**REFERENCE NO: CR/2022/0609/FUL**

**LOCATION:** [LINAC HOUSE & ADJOINING LAND, FLEMING WAY, NORTHGATE, CRAWLEY](#)  
**WARD:** Langley Green & Tushmore  
**PROPOSAL:** REDEVELOPMENT OF THE SITE FOR THREE COMMERCIAL BUILDINGS – UNIT 1 (CLASS B2 USE), UNITS 2 AND 3 (CLASS B8 USE) AND ASSOCIATED SERVICING, PARKING AND LANDSCAPING.

**TARGET DECISION DATE:** 22 December 2022

**CASE OFFICER:** Mrs V. Cheesman

**APPLICANTS NAME:** Phoenix Life Limited  
**AGENTS NAME:** Brunel Planning

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**PLANS & DRAWINGS CONSIDERED:**

Drawing Number	Revision	Drawing Title
19032-HNW-ZZ-ZZ-DR-A-1000	P02	Location Plan
19023-HNW-ZZ-ZZ-DR-A-1100	P03	Site Plan As Existing
19032-HNW-ZZ-ZZ-DR-A-2120	P12	Site Plan As Proposed Phase 1 - Unit 1
19032-HNW-ZZ-ZZ-DR-A-2121	P17	Site Plan As Proposed
19032-HNW-ZZ-ZZ-DR-A-2310	P02	Elevations Existing Building C
19032-HNW-ZZ-ZZ-DR-A-2133	P02	Elevations Existing Building D & J
19032-HNW-ZZ-ZZ-DR-Z-2312	P02	Elevations Existing Building H
19032-HNW-ZZ-ZZ-DR-A-2200	P05	Floor Plans As Proposed Unit 1
19032-HNW-ZZ-ZZ-DR-A-2201	P05	Floor Plans As Proposed Unit 2
19032-HNW-ZZ-ZZ-DR-A-2202	P05	Floor Plans As Proposed Unit 3
19032-HNW-ZZ-ZZ-DR-A-2220	P02	Floor Plans Existing Building C (1 of 2)
19032-HNW-ZZ-ZZ-DR-A-2221	P02	Floor Plans Existing Building C (2 of 2)
19032-HNW-ZZ-ZZ-DR-A-2222	P02	Floor Plans Existing Building D
19032-HNW-ZZ-ZZ-DR-A-2223	P02	Floor Plans Existing Building H (1 of 5)
19032-HNW-ZZ-ZZ-DR-A-2224	P02	Floor Plans Existing Building H (2 of 5)
19032-HNW-ZZ-ZZ-DR-A-2225	P02	Floor Plans Existing Building H (3 of 5)
19032-HNW-ZZ-ZZ-DR-A-2226	P02	Floor Plans Existing Building H (4 of 5)

19032-HNEW-ZZ-ZZ-DR-A-2227	P02	Floor Plans Existing Building H 05
19032-HNW-ZZ-ZZ-DR-A-2228	P01	Floor Plans Existing Building J (1 of 2)
19032-HNW-ZZ-ZZ-D-A-2229	P02	Floor Plans Existing Building J (2 of 2)
19032-HNW-ZZ-ZZ-DR-A-2330	P07	Proposed Elevations Phase 1
19032-HNW-ZZ-ZZ-DR-A-2332	P09	Proposed Elevations Unit 1 & 2
CBC 0001		Proposed Elevations Unit 3
19032-HNW-ZZ-ZZ-DR-A-2320	P02	Site Sections As Existing
19032-HNW-ZZ-ZZ-DR-A-2321	P02	Site Sections As Proposed
19032-HNW-ZZ-ZZ-DR-A-2335	P03	Street Elevations
19032-HNW-ZZ-ZZ-DR-A-2340		Typical Sections As Proposed
LLD2669-LAN-DWG-100	11	Area 1 Landscape General Arrangement Drawing
LLD2669-LAN-DWG-200	05	Area 1 Detailed Planting Plan
LLD2669-LAN-DWG-300	01	Area 1 Planting Profiles and Details
LLD2669-LAN-DWG-101	10	Area 2 Hard & Soft General Arrangement
LLD2669-LAN-DWG-201	03	Area 2 Detailed Planting Plan
LLD2669-LAN-DWG-301	01	Area 2 Planting Profiles & Details
LLD2669-LAN-DWG-102	11	Area 3 Landscape General Arrangement Drawing
LLD2669-LAN-DWG-202	04	Area 3 Detailed Planting Plan
LLD2669-LAN-DWG-302	01	Area 3 Planting Profiles & Details
19032-HNW-ZZ-ZZ-DR-A-2900	P03	3D view looking SW along Fleming Way
19032-HNW-ZZ-ZZ-DR-A-2901	P03	3D view looking SE along Fleming Way
19032-HNW-ZZ-ZZ-DR-A-2902	P02	3D view looking SW along Fleming Way Phase 1
19032-HNW-ZZ-ZZ-DR-A-2903	P01	3D view looking SE along Fleming Way Phase 1
19032-HNW-ZZ-ZZ-DR-A-7901	P01	Bike Stores
LLD2669-LAN-DWG-010	04	Landscape Master Plan
3000031-17	B	Pedestrian Routes Read only
19032-HNW-ZZ-ZZ-DR-A-2334	P05	Proposed Elevations Unit 3
300031-015	C	Refuse Vehicle Swept Path
19032-HNW-ZZ-ZZ-DR-A-2150	P02	Proposed Roof Site Plan
300031-13	E	Swept Path Analysis - Unit 2
300031-14	E	Swept Path Analysis - Unit 3
300031-19		Swept Path Analysis 16

300031-16	C	Swept Path Analysis High Reach Fire Appliance
300031-18	C	Swept Path Analysis Internal Bend
300031-12	F	Swept Path Analysis Unit 1
19032-HNW-ZZ-ZZ-DR-A-2340	P02	Typical Sections-As Proposed

### **CONSULTEE NOTIFICATIONS & RESPONSES:-**

1.	GAL Aerodrome Safeguarding	Conditions required to comply with safeguarding criteria
2.	Environment Agency	No comments to make
3.	WSCC Highways	No objections subject to highway/access works being secured by a s106 agreement and conditions
4.	National Air Traffic Services (NATS)	No safeguarding objection
5.	Thames Water	No objections
6.	Police	No objections - comments made regarding security issues
7.	CBC Drainage Officer	No objections subject to conditions
8.	CBC Planning Arboricultural Officer	No objection subject to tree protection measures being implemented
9.	UK Power Networks	Comments made
10.	CBC Sustainability Team	No comment received
11.	CBC Contaminated Land Officer	No objections subject to conditions
12.	CBC Environmental Health Officer	No objections subject to conditions and informative
13.	CBC Refuse & Recycling Team	No comments received
14.	Southern Water Ltd	A water supply to service the proposed development can be facilitated. A formal application for a connection to the water supply is required to be made by the applicant or developer
15.	CBC Energy Efficiency & Sustainability	No objections subject to conditions
16.	CBC Retail & Employment/ Manor Royal	Proposal is supported in economic policy terms
17.	CBC Urban Design	Comments made
18.	WSCC Lead Local Flood Authority	No objections subject to conditions
19.	CBC Air Quality Officer	No objection subject to conditions and S106 legal agreement to secure mitigation
20.	CBC Economic Development	No comments received
21.	Manor Royal Business District	Support
22.	Place Services - Ecology	No objection subject to conditions

### **NEIGHBOUR NOTIFICATIONS:-**

The application has also been advertised through a press advert and by two site notices that were displayed at the site on 11<sup>th</sup> November 2022 with an expiry date of 2<sup>nd</sup> December 2022.

### **RESPONSES RECEIVED:-**

A letter of support has been received from Gatwick Diamond Business commenting that the redevelopment of the site and the opportunities this will create for Elekta to make operational improvements will be welcomed.

### **REASON FOR REPORTING TO COMMITTEE:-**

The application is major development.

## **THE APPLICATION SITE:-**

- 1.1 The site is comprised of Linac House, a 5 storey office building and four other low rise buildings, and has a road frontage onto Fleming Way in the Manor Royal Business District. The site area is 2.17ha and it forms part of the wider Elekta campus. This includes the main head office building, Cornerstone House, which is positioned at the corner of London Road (A23) and Fleming Way. Linac House is currently vacant. The other buildings on the site are used by Elekta for the research, development, manufacturing and assembly of medical equipment for clinical radiotherapy treatment.
- 1.2 Access to the site is from Fleming Way and there are car parking areas to the front and rear of the site plus service areas to the rear. The buildings have a combined floorspace of 13,931sqm. The surrounding uses are commercial. To the immediate east is the Premier Inn Hotel fronting onto Fleming Way, with Virgin Atlantic premises and Boeing Flight Services set to the south east behind the Hotel. To the immediate south are the Thales premises.
- 1.3 The site lies within the Manor Royal Main Employment Area, thus policies EC2 and EC3 of the adopted Local Plan are relevant. The estate is covered by Article 4 Directions removing various permitted development rights for changes of use to residential (C3) uses.
- 1.4 The site also lies within a Priority Area for District Energy Networks (policy ENV7) and within the long distance viewpoints from Target Hill and Tilgate Park (policy CH8). The site is shown as contaminated land on Council records.
- 1.5 Fleming Way is adopted public highway and this includes the grass verge and pavement which runs across the site frontage, and which is owned by West Sussex County Council.
- 1.6 The water supply for the site is from Southern Water sourced from the Sussex North Water Supply Zone.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 The proposal is for the demolition of the existing buildings on the site and the subsequent redevelopment of the site by the construction of 3 separate commercial units, as now amended. The proposed Unit 1 would be used for Class B2 - general industrial and the proposed Units 2 and 3 would be used for Class B8 - storage and distribution.
- 2.2 The existing access point at the north-eastern corner of the site would be utilised. Units 1 and 2 would front onto Fleming Way, with car parking to the front and their service yards to the rear (south). Unit 3 would be positioned further to the south with car parking to its western side and a combined parking and service yard to the east.
- 2.3 Across the Fleming Way site frontage, at the back edge of the existing pavement, a landscaping area with some tree planting is to be provided. Further areas of landscaping are proposed along parts of the western boundary adjacent to the main Elekta site and to the eastern boundary with the Premier Inn and Virgin Atlantic sites. Two existing substations would be relocated within the site.
- 2.4 It is understood that the proposed Unit 1 would be implemented first, which would be on the site of the existing office building Linac House. The main existing office function for Elekta is located in Cornerstone House, where it would remain. The other existing research, development and manufacturing uses undertaken by Elekta on the application site would be relocated into this proposed new unit. Units 2 and 3 are speculative and would be subsequently implemented and occupied by other businesses.
- 2.5 The following documents have been submitted in support of the application:
  - Acoustic Report
  - Air Quality Assessment
  - Arboricultural Impact Assessment
  - Bird Hazard Management Plan

- BREEAM Assessment
- Design and Access Statement
- Ecology Report and Biodiversity Metric Assessment
- Energy Strategy
- Environmental Site Assessment, Ground Investigation Report and Remediation Strategy
- Fire Strategy Report
- Flood Risk Assessment and Drainage Strategy , plus Construction Phase Surface Water Management Plan
- Landscape Specifications
- Noise Impact Assessment
- Planning Statement
- Statement of Community Involvement
- Sustainability Statement
- Transport Assessment and Road Safety Audit (and later Addendum)
- Travel Plan
- Utilities Report
- Ventilation and Extraction Statement
- Water Neutrality Statement

2.6 The proposal has been revised since submission, with changes from the initial erection of a pair of buildings to 3 separate buildings as now proposed, and consequent revisions to the design of the buildings, reduction in the floorspace and the number of parking spaces. The landscaping areas have been enhanced and the layout of the service yards rationalised.

#### **PLANNING HISTORY:-**

3.1 The application site (Linac House and adjoining land) and that immediately adjacent (Cornerstone Hose) are occupied by Elekta Limited and have an extensive planning history. Planning permission was originally granted in 1958 for a factory on the Elekta land that also included Thales to the south. Since this time there has been a number of industrial, office, storage and other ancillary developments on the application site and that adjoining to the west.

3.2 More recent relevant applications include:

#### **The application site - Linac House and adjoining land/buildings**

CR/739/68	ERECTION OF 5 STOREY OFFICE BLOCK WITH ROOF PLANT ROOM AND EXTENSION TO EXISTING PRODUCTION BUILDING COMPRISING STORAGE AND DISPATCH WITH 2 FLOORS OF ATTENDANT OFFICES OVER	Permit
CR/2013/0281/FUL	CHANGE OF USE OF WAREHOUSE SPACE FROM STORAGE/DISTRIBUTION TO RESEARCH AND DEVELOPMENT, WITH EXTERNAL PLANT DECK & ELECTRIC SWITCH ROOM EXTENSION AND INTERNAL PLANT	PERMIT
CR/2015/0554/FUL	REFURBISHMENT OF J BUILDING OFFICES INCLUDING REPLACEMENT WINDOWS, INSULATING RENDER AND METAL SCREEN FACINGS	PERMIT
CR/2016/0345/FUL	DEMOLITION OF AN EXISTING TWO STOREY PREFABRICATED CANTEEN/OFFICE BUILDING AND SITING	PERMIT

	OF A TEMPORARY TWO STOREY MODULAR PORTAKABIN BUILDING TO BE USED AS A CANTEEN/OFFICE FACILITY (FOR A PERIOD OF 5 YEARS)	
CR/2021/0663/FUL	DEMOLITION OF AN EXISTING TWO STOREY PREFABRICATED CANTEEN/OFFICE BUILDING AND INSTALLATION OF A TEMPORARY SINGLE STOREY MODULAR PORTAKABIN BUILDING AS A REPLACEMENT. THE BUILDING WILL BE HIRED FROM PORTAKABIN LTD FOR A PERIOD OF 5 YEARS AND WILL CONTINUE TO BE USED AS A CANTEEN/OFFICE FACILITY.	WITHDRAWN

#### Cornerstone House

CR/2014/0760/FUL	ERECTION OF TWO OFFICE BUILDINGS, A FOUR AND A HALF STOREY DECKED CAR PARK, A SINGLE STOREY DECKED CAR PARK AND SURFACE CAR PARKING WITH LANDSCAPING AND NEW ACCESS FROM PRIVATE ROADS LINKING TO FLEMING WAY AND LONDON ROAD	PERMIT
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### **PLANNING POLICY:-**

#### 4.1 National Planning Policy Framework (2023)

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

- Section 2 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land, helping to improve biodiversity and addressing climate change.
- Section 4 (Decision-making) – This section states that Local Planning Authorities should approach decisions in a positive and creative way, seeking to approve applications for sustainable development where possible. It encourages pre-application engagement and states that decisions should be made as quickly as possible. Weight should be given to emerging policies, depending on the stage of preparation of the emerging plan, the extent of unresolved objections and the degree of consistency with the NPPF.
- Section 6 – Building a strong, competitive economy emphasises the need for the planning system to help create conditions where businesses can invest, expand and adapt in order to support the need for economic growth and productivity. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- Section 9 (Promoting sustainable transport) – This section states that the potential impact upon transport networks should be addressed and that opportunities to promote walking, cycling and public

transport use should be pursued. Adverse impacts should be mitigated. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. All developments that will generate significant amounts of movement should be required to provide a travel plan.

- Section 12 – Achieving well-designed and beautiful 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.

- Section 14 – Meeting the challenge of climate change, flooding and coastal change. In addition to supporting the increased use of renewable and low carbon energy and reducing greenhouse gas emissions, including complying with local sustainability requirements, flood risk should not be increased elsewhere and sustainable drainage systems should be incorporated in major developments.

- Section 15 – Conserving and enhancing the natural environment. Planning policies and decisions should contribute to and enhance the natural and local environment, including minimising impacts on and providing measurable net gains for biodiversity, including by establishing coherent ecological networks, and enhanced public access. Development should not add to or be at risk from pollution.

#### 4.2 Crawley Borough Local Plan 2015 – 2030 (adopted December 2015)

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

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

**Policy CH3** (Normal Requirements of all New Development) Development should be based on a thorough understanding of the significance and distinctiveness of the site and its wider context and demonstrate how attractive or important features of the site will be retained. These include views, landmarks, footpaths, rights of way, trees, green spaces, hedges, other historic landscape features or nature conservation assets, walls and buildings. Developments will also need to be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials. Development should also provide/retain a good standard of amenity for future occupants and not cause harm to the amenity of the surrounding area, including through traffic generation and general activity. Development should demonstrate compliance with Secured by Design and meet the requirements for its safe and proper use, in particular in regard to access, circulation and manoeuvring and in this case vehicle parking. Individual or groups of trees that contribute positively to the area should be retained and, where any are lost, replacement tree planting should accord with the standards set out in policy CH6.

**Policy CH4** (Comprehensive Development and Efficient use of Land) Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development.

**Policy CH6** (Tree Planting and Replacement Standards) Sets out that where development would result in the loss of trees, these should be identified and replaced to mitigate the visual impact from the loss of canopies. The requirement for replacement trees is based on the size of the trees to be lost and this is expected to take place on site or be subject to commuted payments for planting elsewhere. The Manor Royal Design Guide sets out tree planting requirements for that area.

**Policy CH8** (Important Views) requires the Important Views identified on the Local Plan Map to be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The site is within a long distance view display from Target Hill and Tilgate Park.

**Policy EC1** (Sustainable Economic Growth) This policy supports Crawley's role as the key economic driver for the Gatwick Diamond area and supports business growth. The policy seeks to ensure that Crawley's recognised economic role and function is maintained and enhanced through building upon and protecting the established role of Manor Royal as the key Business (B1), General Industry (B2) and Storage and Distribution (B8) location for Crawley and ensuring that it is the focus for sustainable economic growth. The policy sets out the need for approximately 23 hectares of employment land over the plan period.

**Policy EC2** (Economic Growth in Main Employment Areas) recognises the significant contribution that the town's employment areas make to its economy and that of the wider area, and protects against net loss of employment floorspace. Where proposals involve a net loss of employment floorspace they will only be permitted where the site is no longer suitable, viable or appropriate for employment purposes and, the loss of any floorspace will result in a wider social, economic or environmental benefit to the town and there is no adverse impact on the economic role or function of the Main Employment Area and wider economic function of Crawley.

**Policy EC3** (Manor Royal) Manor Royal is the principal business location for Crawley, and instrumental to the success of the wider Gatwick Diamond. Development that is compatible with the area's economic function and role in the wider sub-region will be permitted where it falls within the B Use Class and would result in the reuse, intensification, or change of use of the land or buildings. Proposals that are not for B Use Class development will be permitted at Manor Royal if it can be demonstrated that they are of a scale and function that enhances the established role and business function of Manor Royal and would not undermine the business district. All development at Manor Royal should contribute positively to the overall setting and environment of the Main Employment Area as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document.

**Policy ENV1** (Green Infrastructure) states that Crawley's multi-functional green infrastructure network will be conserved and enhanced through a number of measures including maximising opportunities to maintain and extend infrastructure links and requiring large proposals to provide new, or create links to, green infrastructure where possible.

**Policy ENV2** (Biodiversity) All development will be expected to incorporate biodiversity features where appropriate and enhance existing features of nature conservation value around the development.

**Policy ENV6** (Sustainable Design and Construction) All development must consider how it can address sustainability through reducing energy consumption, using renewable and low carbon energy, improving existing buildings when adding extensions, minimising carbon emissions during development and ensuring embedded carbon is retained and considering District Heat Networks, water stress and temperature extremes. A Sustainability Statement should be submitted demonstrating how sustainability has been addressed through design and construction.

**Policy ENV7** (District Energy Networks) Major developments within a Priority Area for District Heat Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area.

**Policy ENV8** (Development and Flood Risk). Development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere.



**Policy ENV9** (Tackling Water Stress) Non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.

**Policy ENV10** (Pollution Management and Land Contamination) ensures that new development does not increase levels of pollution or hazards and is appropriate to its location. Where a site may be at risk from contaminants or hazardous materials, information must be provided on how the risk will be addressed and pollution treated or removed.

**Policy ENV11** (Development and Noise) states that people's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources.

**Policy ENV12** (Air Quality) states that proposals that do not have a negative impact on air quality will normally be permitted.

**Policy IN1** (Infrastructure Provision) Development must be supported by necessary on and off site infrastructure, including mitigation where needed, to avoid harmful impact upon existing infrastructure.

**Policy IN2** (Strategic Delivery of Telecommunications Infrastructure) requires proposals to be connected to high quality communications infrastructure.

**Policy IN3** (Development and Requirements for Sustainable Transport) Development should be focussed to achieve sustainable transport through use of public transport, walking and cycling. Development should meet the access needs generated and not have unacceptable impact on congestion or highway safety. Proposals should be supported by a Transport Statement/Assessment.

**Policy IN4** (Car and Cycle Parking Standards) Proposals should provide the appropriate car and cycle parking required by supplementary guidance.

#### 4.3 Draft Crawley Borough Local Plan 2023 - 2040

Following the close of the Local Plan Examination Hearings, receipt of the Inspectors' Post-Hearing letter (dated 31 January 2024) and the publication of the Main Modifications for formal public consultation, the emerging Crawley Borough Local Plan 2023-2040 has reached a very advanced stage. Due to this advanced stage, the up-to-date evidence supporting the emerging Local Plan and the clear indications provided in the Inspectors' Post-Hearing letter, the policies in the emerging Local Plan should be given substantial weight. This should only differ where there is a Main Modification proposed to the policy element being applied. The following policies are relevant:

- Policy SD1: Presumption in Favour of Sustainable Development
- 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 CL7: Important and Valued Landscape and Views
- Policy DD1: Normal Requirements of All New Development
- Policy DD4: Tree Replacement Standards
- Policy DD5: Aerodrome Safeguarding
- 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

#### 4.4 Supplementary Planning Documents

The following supplementary planning documents are also applicable to the development of this site:

##### **Planning and Climate Change SPD – Adopted October 2016**

This provides further guidance on addressing the sustainability policies within the Local Plan, with examples of best practice and how to demonstrate compliance with the policies.

##### **Green Infrastructure SPD – Adopted October 2016**

This SPD provides further guidance on new and replacement tree planting, protection of existing trees, biodiversity and wider landscaping issues.

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

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

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

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

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

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

##### **Manor Royal Design Guide SPD and Public Realm Strategy – Adopted July 2013**

This document aims to support economic growth in Manor Royal, providing guidance to ensure that new development makes a significant contribution to the uplift of the area and secures delivery of high quality development which supports the key business function. It requires all development to demonstrate the following:

- New buildings to be of high quality urban design
- Proposals seek to provide active frontages to routes
- Materials and finishes of good quality and support the principles of identity and sustainability
- Proposals to achieve a high level of security
- Surface water drainage considered
- Water efficiency measures considered
- The development must positively contribute to the landscape and identity of Manor Royal.

The document emphasises the importance of landscaping as a key consideration in creating a sense of place for Manor Royal and improving the quality of the public realm. A key approach to delivering

these improvements is achieving robust and consistent frontages to improve the quality of the environment. It requires parking and servicing to be adequate to meet the needs of the development and to consider landscaping and seek to reduce monotonous surfacing of parking areas. Boundary treatments must be appropriate in scale and context, with landscaping to reduce the visual impact of fences and barriers.

Fleming Way is identified as a primary road and the application site is covered by specific guidance set out under sections 3.1 and 3.1.2 in the document. The SPD sets out expectations in terms of landscaping, tree planting and appropriate distances that buildings should be set back.

The site is identified as being within the Core Business Zone Character Area A. Key considerations that proposed development in such locations should seek to address are to:

- maintain the spacious setting of buildings;
- build on the positive impact of high quality public realm and development through promoting high quality buildings that also improve the private realm;
- provide active frontages, high quality materials, and planting of high aesthetic quality and durability; and
- given the spacious and prominent nature of the area, explore the potential for taller buildings with due regard to the safeguarding requirements of Gatwick Airport.

#### **Developer Contributions Guidance Note** (published July 2016)

This sets out the Council's approach to developer contributions following the introduction of the Community Infrastructure Levy. It provides details of the CIL charges and when S106 contributions will be sought.

### **PLANNING CONSIDERATIONS:-**

5.1 The key issues for consideration are:

- The principle of the development
- Design and Layout
- Highways and parking
- Neighbouring Amenity
- Sustainability
- Trees, ecology and landscaping
- Water neutrality
- Air Quality and Noise
- Contaminated Land
- Drainage and Flood Risk
- Gatwick Airport Safeguarding
- Infrastructure and developer contributions

#### **Principle of development**

5.2 The application site is situated within the Manor Royal Main Employment Area as defined by adopted Local Plan economic policies EC1, EC2 and EC3 and draft Local Plan policies EC1, EC2 and EC3. It is worth noting that the adopted and draft policies set out very similar criteria and requirements in terms of this proposal.

5.3 Local Plan Policy EC1 and its supporting text set out an overarching policy position to ensure that Crawley's recognised economic role and function is maintained and enhanced, retaining the available supply of employment land in order to support, and not undermine, economic growth. The policy identifies a requirement for an additional 57.9ha of business land in Crawley over the Plan period to 2030. Given Crawley's constrained land supply position, the policy identifies an available business land supply pipeline of 23ha, and therefore a business land supply shortfall of 35ha over the Plan period to 2030.

- 5.4 Draft Local Plan Strategic Policy EC1 seeks to protect and enhance Crawley's role as the key economic driver for the Coast to Capital and Gatwick Diamond, identifying suitable opportunities within the borough to enable existing and new businesses to grow and prosper. The policy identifies a need for a minimum of 26.2ha new business land in Crawley over the Plan period to 2040, principally within the B8 storage & distribution sectors. Taking off opportunities identified in the Employment Land Trajectory (Base Date 31 March 2023), the outstanding requirement is for industrial land, substantially for B8 storage & distribution uses, where there is need for a minimum 17.93ha. This need is principally to be met through the Gatwick Green Strategic Employment Allocation, though the policy is clear that Crawley's economic role and function should be supported through a range of opportunities. This includes (as relevant to this application) building upon and protecting the established role of Manor Royal as the key mixed business location for Crawley at the heart of the Gatwick Diamond and Coast to Capital areas; protecting and enhancing the Main Employment Areas for economic growth; and encouraging the redevelopment and intensification of under-utilised sites in Main Employment Areas for employment use.
- 5.5 The scarcity of available employment land within the Borough and subsequent business land supply deficit places particular weight on the need to build upon and protect the role of the designated main employment areas, with Manor Royal being identified as a key business location for Crawley and Gatwick Diamond. Specific reference to Manor Royal is made in part i.) of policy EC1 which states that the objective is to *'build upon and protect the established role of Manor Royal as the key business location (B Use Classes) for Crawley at the Heart of the Gatwick Diamond'*. The overarching policy position is therefore to retain the available supply of business land in order to support business-led economic growth.
- 5.6 In general terms, the proposal would retain a business use on the site in compliance with adopted Policy EC1 and emerging Policy EC1. However, the proposed redevelopment of the site, whilst retaining its employment use, would result in the net loss of employment floorspace from 13,449 sqm to 10,309sqm, a reduction of 4270sqm. Adopted Local Plan Policy EC2 and draft Policy EC2 both recognise the significant contribution made to the economy of Crawley and the wider sub region by the designated Main Employment Areas. The policies also set out criteria that must be satisfied where a net loss of employment floorspace is proposed. These are that the i) site is no longer suitable, viable or appropriate for employment purposes; ii) the loss of any floorspace will result in a wider social, environmental or economic benefit to the town; and iii) there is no adverse impact on the economic role or function of the Main Employment Area, and wider economic function of Crawley.
- 5.7 The applicant has provided supporting information to explain the rationale for the net reduction in floorspace. This sets out that the proposed development is proposed as part of a wider redevelopment of the Elekta campus. Of the buildings currently on site, Linac House (offices) has been vacant since Elekta relocated to its new HQ on the neighbouring Cornerstone site and is considered to be no longer fit for purpose. The remaining buildings on-site are also used by Elekta, for manufacturing and assembly, research & development, and training. The statement sets out that the site in its current form is not being optimised in terms of its development potential and, whilst the proposed development would result in a net loss of employment floorspace, it would enable delivery of Unit 1 that would specifically meet Elekta's needs. It would also deliver two new B8 storage & distribution warehouses for general use.
- 5.8 Having reviewed the supporting information, it is considered that although the proposal would result in some loss of employment floorspace, redevelopment of the site would bring about its wider improvement as an employment location, supporting the economic function of Manor Royal and that of Crawley. More broadly, the development would support the retention and growth of an existing Manor Royal business and would provide higher quality floorspace that would contribute to meeting the significant B8 floorspace need in Crawley. It is therefore considered that the criteria of adopted and emerging Policies EC2 are met.
- 5.9 Building on the approach of adopted and emerging Policies EC1 and EC2, adopted and emerging Policies EC3 emphasise the specific importance of Manor Royal as the principal business location for Crawley and the wider Gatwick Diamond. The policies place a clear focus on the delivery of business uses in Manor Royal, seeking to protect and reinforce its core business function by

promoting development within the B use classes, and encouraging the reuse and intensification of land or buildings within the main employment area.

- 5.10 The proposed scheme, in redeveloping the site to provide improved business floorspace for an existing and also potential new occupiers, is consistent with the EC3 policy objectives, adding to the overall stock and range of premises at Manor Royal, and helping strengthen its overall offer as a business district.
- 5.11 Policy EC3 also requires development at Manor Royal to contribute positively to the overall setting and environment of Manor Royal as a business district through high quality design and landscaping that is in accordance with the Manor Royal Design Guide Supplementary Planning Document. The design and appearance of the proposal is discussed in more detail below, but overall the scheme offers the opportunity to replace the existing structures with those of a more contemporary approach and provide more landscaping across the site.
- 5.12 Emerging Policy EC5 requires major development to contribute to meeting objectives set out in the most up-to-date Crawley Employment and Skills Programme. This will be achieved through:
- i. Committing at the planning application stage to prepare and submit a site-specific Employment and Skills Plan. This will detail how the development, through its construction and (for commercial development where there is a known occupier) end user phases, will support initiatives identified in the Crawley Employment and Skills Programme.
  - ii. The making of a proportionate financial contribution towards employment and skills initiatives in Crawley.
- 5.13 Accordingly an Employment and Skills Plan will be required for the development and is to be secured through a S106 legal agreement. The financial contributions apply to schemes that involve a net increase in gross internal area in excess of 1,000sqm. In this case, the application would not result in a net increase in the gross internal area (rather, it is a net loss of floorspace), so a financial contribution is not required in this instance. The proposal is a substantial redevelopment of the site though and an Employment and Skills Plan is appropriate to benefit local people and the economy.
- 5.14 To conclude on this issue, in proposing new business floorspace within Manor Royal Business District, the proposal reflects the objectives of the adopted and draft Local Plan Policies EC1, EC2 and EC3, adding to the overall business land supply pipeline in Crawley. Both Policies EC3 are supportive of all B Class uses, including B1 (office) – now Class E(g), B2 (general industry) or B8 (storage & distribution) uses and, in providing modern new units that would support the core business role and function of Manor Royal, the principle of business units on this site is supported.
- 5.15 More broadly, the proposal responds to NPPF objectives to support business and plan positively for sustainable economic growth, and the principle of business-led redevelopment of the site is supported in this regard.
- 5.16 In principle therefore, the redevelopment of this currently vacant site and the proposed increase in employment floorspace is welcomed and is in accordance with national and local planning policies.

## **Design and Layout**

- 5.17 The site is in a prominent location along Fleming Way, positioned between Cornerstone House and the Premier Inn Hotel. The five existing buildings on the site would be demolished, including the 5 storey Linac House. The proposal is for a phased redevelopment to form 3 low rise industrial/warehouse type buildings with a bespoke design.
- 5.18 Adopted policies CH2, CH3 and EC3 require that all development should contribute positively to the overall setting and environment of Manor Royal through high quality design and landscaping. Draft Local Plan policies CL2, CL3 and DD1 continue to stress the importance of high quality design and also highlight matters such as making effective use of urban land, creating strong and active frontages and addressing movement routes. Policies EC3 within both the adopted and draft Local Plans specifically make reference to the Manor Royal Design Guide SPD and afford this document

significant weight. The design of any development at this site will need to be carefully considered at this prominent location, particularly given its highly visible frontage onto Fleming Way which is identified in the Manor Royal SPD as a Primary Road.

- 5.19 The key design aspects to be considered for this site are the need for a high quality design, with appropriate high quality materials and detailing to reflect the Manor Royal business character, that addresses the road frontage, combined with suitable SPD compliant planting proposals along the road frontage, within the site and between adjoining sites. There is also a need to ensure the car parking and servicing areas are appropriately located away from key views.
- 5.20 The Manor Royal SPD states that buildings fronting Fleming Way should be set back from the site boundary by a minimum of 10m and that the minimum depth of on-site planting should be 4m. It specifies that this should form shrub planting across the entire Primary Road frontage with fastigiate trees at 15m spacing. 'Fastigiate' trees are those with parallel, erect, clustered branches or trees with narrow crowns.
- 5.21 The proposed development has evolved during the consideration of the application to address the need for a high quality design, an active frontage onto Fleming Way and to provide an appropriate scale and form of development at this location in Manor Royal. Currently, the existing scale, height and massing of Linac House, gives the site a significant visual presence and helps to avoid this primary road within Manor Royal being perceived as just an access road to unattractive commercial buildings. The site is situated just outside one of the primary Manor Royal gateways at the London Road roundabout. As such, its current prominent office building volume is experienced from one of the key entry points into Manor Royal when facing east along Fleming Way. Along with the adjoining buildings to the west at the roundabout, it helps to enhance the urban structure and the first impression of Manor Royal, confirming the area as a premium business location where there is a mix and contrast of commercial activity.
- 5.22 As originally submitted, the proposals were for a single building at the front to house Units 1 and 2, with Unit 3 to the rear. They were of a typical low rise warehouse design with some glazing to the front entrances. Officers had concerns that, as Units 1 & 2 were set between the higher Cornerstone House and the Premier Inn and due to the significant width of the site, the relatively low height of the proposed single building looked out of place in this context. It was suggested that the inclusion of further architectural features and articulation to improve the scale and massing of the buildings, introducing or extending the glazing elements to the front corners of the building and the design of the canopies would assist in improving the scheme. In addition, it was considered that setting the buildings back from the side boundaries more, thus reducing the width, and some differentiation in height, along with other design features, would address the site frontage and the overall character of Fleming Way in a more satisfactory manner.
- 5.23 In this regard, the scheme as now presented is for 2 separate buildings to the front. Unit 1 would be the widest and sit forward of Unit 2, which would introduce a stagger across the site frontage. The overall width of the built form has been reduced, by this separation of the units, reducing the footprint of Unit 2 and setting Unit 1 further from the eastern boundary. The breakup of the overall volume has helped to add some visual interest and contrast in form, and the staggering of the two buildings fronting Fleming Way serves to provide a somewhat finer grain than was the case with the original substantial single east - west volume. Unit 3 has also has a smaller footprint, with a larger separation gap to the eastern boundary, which allows for the incorporation of more landscaping.
- 5.24 Whilst these are commercial/warehouse buildings, they do include ancillary office accommodation. The design of the office areas to the front to the units have been enhanced, so that they form an 'office pod' with additional and revised glazing, more architectural detailing and contrasting cladding. The materials are metal cladding in a colour palette of a mix of greys, with dark grey to the front of the office element and grey aluminium to the remainder of the front elevations and light grey colours to the side and rear elevations, and window frames in anthracite grey, with feature flashing in a contrasting mustard colour. The effective height has also been increased using a raised parapet feature, in the darker grey colour, which screens the lower roof structure of the warehouse element of the building. As a result, the Unit 1 office element does successfully appear more prominent along the road frontage and has more of a visual presence. Unit 3 has a more typical warehouse design and does not have the parapet feature but glazing has been incorporated into the front office

element to differentiate this from the warehouse part. As this building would be set to the rear of the site and would be screened by Units 1 and 2, views from Fleming Way would be very limited and it is considered that this design approach for Unit 3 is acceptable.

- 5.25 The siting of the buildings complies with the Manor Royal SPD, with Unit 1 being set some 22m back from the site boundary and Unit 2 being set back 30m. The car parking areas to the front between the buildings and the site boundary have been amended. The landscaping along Fleming Way has been strengthened and reinforced, so that it is more organic in design and shape, and includes a 'pocket park' rather than just a straight strip of planting to the front of the car parking area, as originally submitted. The minimum depth of planting is 4m, but this widens out to 26m at the western end of the frontage. This perception could be enhanced by a denser group of semi mature trees to the west of the Unit 1 office entrance which would effectively screen Unit 2. It is noted that there are inconsistencies between the landscaping details shown on the site plan, the planting plans and the landscape masterplan. In these circumstances the details of the landscaping are not to be approved at this stage, but can be secured by condition requiring the submission of detailed landscaping proposals for subsequent approval
- 5.26 In addition, both Units 1 and 2 now have a hard and soft landscaped 'arrival plaza' by their front entrances. Furthermore, Unit 1 has been set further away from the access road that runs along the eastern boundary and this additional space has given an opportunity for increased soft landscaping and an external amenity space to this side elevation. This has also allowed the sub stations to be relocated away from the Fleming Road frontage and incorporated into this landscaping area.
- 5.27 With regard to the possible impact in terms of long distance views from Target Hill and Tilgate Park, as identified by Local Policy CH8, the proposed development would be lower in height than the existing Linac House that they would be replacing and therefore the proposal would have less of an impact than the current situation. As such the scheme would not adversely impact on the long distance views.
- 5.28 Overall these design changes provide an improved active frontage for the development onto Fleming Way, with more legible entrances and which increase the permeability from the main road. The design and layout of the scheme as now submitted is appropriate within the context of the Main Employment Area and, in particular, its location along Fleming Way. It is considered that the development would create a high quality public realm with the enhanced landscaping proposals. As such the scheme would accord with the relevant design policies within the Crawley Borough Local Plan and the Manor Royal SPD.

## Highways and parking

- 5.29 The site is located on Fleming Way, which forms a key and busy east-west link across the Manor Royal Business District. Fleming Way (30mph) is street lit with footways and on-carriageway cycle lanes. To the west is County Oak Roundabout which provides a link to A23 with Lowfield Heath/ Gatwick Airport to the north and Crawley town centre to the south. To the east Fleming Way joins with Gatwick Road.
- 5.30 The existing vehicle/ pedestrian access from Fleming Way would be widened to 8m, with 10m kerbed radii and narrowing to 7.3m within the site to accommodate 2-way HGV movement. The existing on-street cycle lane would be maintained. Visibility splays in excess of the required 43m for 30mph (Manual for Streets) can be achieved. HGV and large van swept path tracking at the access have been adequately demonstrated.
- 5.31 WSCC Highways advise that for car movements, due to the reduction in office floorspace, a 'severe' increase in vehicle trips to and from the site is not anticipated. In regard to HGV movements, there would be an additional 12 in the am peak period and 7 in the pm peak period and therefore a significant increase. However, given the likely distribution across the local highway network, WSCC Highways consider that the increase in HGV movements would not be at a 'severe' level and would not detrimentally impact the capacity operation of the nearby road network. It is recommended that the access works are secured by a s106 legal agreement with conditions to cover a construction management plan, vehicle parking/turning and cycle parking.

5.32 In terms of parking, the following table sets out the relevant parking requirement for the proposals, based on the plans received and using the standards in the Urban Design SPD document which are adopted Borough standards.

UNIT	FLOORSPACE	STANDARD		PROPOSED
		Type	Quantum	Quantum
Unit 1 B2 use	3258sqm	Cars	81	81
		Accessible spaces 5%	4	4
		Lorries	7	2
		Cycles staff	16	22
		visitors	7	7
		Motorcycles	9	9
Unit 2 B8 use	2234sqm	Cars	23	23
		Accessible spaces 5%	1	1
		Lorries	5	6
		Cycles staff	5	22
		visitors	3	7
		Motorcycles	4	4
Unit 3 B8 Use	3687sqm	Cars	39	39
		Accessible spaces 5%	2	2
		Lorries	7	7
		Cycles staff	6	25
		visitors	4	8
		Motorcycles	5	5
TOTAL	9179sqm	Cars	143	143
		Accessible spaces 5%	7	7
		Lorries	19	15
		Cycles staff	27	69
		visitors	14	22
		Motorcycles	18	18

5.33 The proposal, with a total of 143 car parking spaces shown, would meet the requirements for the proposed B2 and B8 uses. Units 1 and 2 would have a parking areas to the front of the site (62 spaces combined), which has been revised to incorporate more landscaping and includes 6 electric vehicle (EV) spaces and 5 accessible spaces. There is also car parking to the rear of these units (40 for Unit 1 and 2 for Unit 2), within their service yard areas. The car parking arrangements for Unit 3 are predominantly to the east side of the building (35 spaces, including 2 EV spaces and 2 accessible spaces), with 4 spaces to the west side adjacent to its service yard. All the car parking spaces are to be future proofed by having ducting installed to allow for future EV charging point activation.

5.34 There would be a shortfall in lorry parking spaces for Unit 1 of 5 spaces. However, this building is to be occupied by Elekta, who already operate from the site. They have advised that, based on their existing operation, the unit will receive approximately 15 deliveries across a day. Approximately 60% (9) of these are to be by vans with only 40% (6) by HGVs. With regards outgoing goods, two HGVs are predicted per day at approximately 1am and 1pm. Given these specific circumstances and the known occupier, the full lorry parking requirement is not considered necessary for Unit 1.

5.35 The amount of bicycle parking significantly exceeds the standards and is welcomed. During the application process, the location of these facilities have been repositioned so that now they are more conveniently located for the staff and visitor entrances to each building, with some having a green roof structure.

5.36 Motorcycle spaces are shown to the east of the site, along the eastern side of the access road for Units 1 and 2, and within the parking area for Unit 3 and meet the standards as required in the Urban Design SPD.

5.37 A Travel Plan has been provided with the application and refers to encouraging and promoting sustainable transport options, including walking, cycling, public transport, car sharing. It also references the provision of the electric vehicle charging spaces, with associated fittings and



ductwork. This would be a positive addition and would future proof the development and encourage more sustainable forms of private vehicle travel. The final travel plan and the associated monitoring fee of £3500 are to be secured by a s106 legal agreement.

- 5.38 In conclusion, the proposed works to the access and the traffic movements associated with the 3 units are considered to be acceptable and would not result in an adverse impact in regards to highway capacity or safety. The car and cycle parking arrangements are considered to be satisfactory, and whilst there would be an under provision of lorry spaces for Unit 1, this is to meet the specific needs of the end user (Elekta) and is acceptable in this instance. Therefore, subject to the above suggested conditions and the completion of a s106 agreement in regard to the access works and Travel Plan, it is considered that the scheme would accord with the relevant development plan policies in this regard.

## **Neighbouring Amenity**

- 5.39 The development site lies within a Main Employment Area. Adopted Local Plan Policy EC4 seeks to manage the relationship between employment development and residential amenity. Draft Policy EC11 continues this approach and also introduces the 'agent of change' principle. Here, surrounding uses are generally commercial and therefore less sensitive to impact from the proposal, with the main Elekta site (Cornerstone House) to the immediate west. To the immediate east is the Premier Inn Hotel fronting onto Fleming Way with Virgin Atlantic premises and Boeing Flight Services set to the south east behind the Hotel. To the immediate south are the Thales premises.
- 5.40 There would be a separation gap of 43m from the west side elevation of the Premier Inn to the east side elevation of unit 1. There is glazing proposed on the east elevation of unit 1 to the front office section, and the main outlook for the hotel is to the north onto Fleming Way, with only staircase windows on the side. Given the distance, the nature of the glazing and the temporary nature of the hotel's occupation, it is not considered that significant adverse impact, through issues such as overlooking or overdominance, upon hotel guests would result. Noise impact is addressed below.
- 5.41 Overall, the relationship to adjoining commercial buildings is considered fairly typical of a major employment location like Manor Royal. It is not considered that any significant disturbance or loss of amenity would be caused to the adjoining occupiers, including the more sensitive hotel uses.

## **Sustainability**

- 5.42 Policies ENV6, ENV7 and ENV9 of the adopted Local Plan, draft policies SDC1, SDC2 and SDC3 and the Planning & Climate Change SPD are relevant to the proposal from a climate change mitigation and adaptation perspective. ENV6 (Sustainable Design and Construction) sets out various overarching objectives which development should follow in relation to climate change mitigation and adaptation. Policy ENV7 (District Energy Networks) states that major developments within a Priority Area for District Heat Networks should demonstrate how they have addressed the hierarchy supporting creation of networks. Manor Royal is identified on the Proposals Map as a Priority Area. It presents a hierarchy of options ranging from connection to an existing network, through the creation of a new network, to designing the development to be network ready. Policy ENV9 (Tackling Water Stress) states that non-residential development, where technically feasible and viable, should meet BREEAM Excellent including addressing maximum water efficiencies under the mandatory water credits.
- 5.43 The proposal is supported by a Sustainability Statement (including a BREEAM pre-assessment scoring summary) and an Energy Strategy, including design-stage Building Regulations documentation. These documents identify and detail responses to the relevant policies. They have been updated to reflect the introduction of the 2021 version of Part L of the Building Regulations. Key elements include:
- The development proposes to meet (and exceed) the BREEAM requirements regarding energy and water efficiency detailed in Policies ENV6 and ENV9;
  - The energy strategy achieves the 2021 Building Regulations standard (including the new Primary Energy Requirement) through an approach which includes fabric efficiency, energy efficient building services, the provision of large solar PV roof

arrays, and the use of air source heat pumps to provide heat to mezzanine office areas;

- The Site Plan identifies routes by which the new units could be connected to a future district energy network;
- The energy strategy is for the most part electricity-based in terms of fuel, the exception being the provision of capped gas connections giving the option of using gas to provide heating to the warehouse areas, depending on tenant requirements; and
- The scheme incorporates a number of electric vehicle charge points with the remaining car parking spaces provided with ducting for future activation.

5.44 The Energy and Sustainability officer is satisfied with these proposals subject to conditions relating to the energy and water efficiency measures, the PV panels, district energy network connection and electric vehicle charging spaces.

### **Trees, ecology and landscaping**

5.45 Adopted Local Plan Policies CH2, CH3 and EC3, draft policies CL2, DD1 and EC3, the Manor Royal SPD and supporting the Public Realm Strategy places considerable emphasis on enhancing private landscaped areas along the road frontages and internally within the sites. Adopted policy ENV2 and draft policy GI3 states that all development proposals will be expected to incorporate features to encourage biodiversity where appropriate, and where possible enhance existing features of nature conservation value within and around the development.

5.46 Fleming Way is identified within the Manor Royal Urban Design Guide as a primary road and the site is identified as being within the Core Business Zone Character Area A. The SPD sets out expectations in terms of landscaping, tree planting and appropriate distances that buildings should be set back and requires planting of high aesthetic quality and durability.

5.47 The application was supported by an Arboricultural Impact Assessment, Ecology Report and Biodiversity Net Gain Assessment and Metric Assessment and Landscaping Plans and Specifications.

5.48 There are no existing trees on the site itself, but there is a row of 26 trees on the adjacent site to the east, along the site access road, which form a linear feature. The trees comprise 23 lime trees, 1 sycamore, 1 ash and 1 silver birch. Of these arboricultural features, 16 are category B - trees of moderate quality and value (with an estimated remaining life expectancy of at least 20 years), 8 are category C - trees of low quality and value (with an estimated remaining life expectancy of at least 10 years or young trees with a stem diameter less than 150mm) and 2 (lime and ash) are category U - trees which are in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.

5.49 None of the trees will be removed to facilitate the development, but it will be necessary to remove and replace the existing hard surfaces either with new hard surfaces or soft landscaping where they are within the root protection areas (RPA). Tree protective fencing will be erected within the application site and appropriate construction methods used in the RPAs. These aspects can be secured by a condition.

5.50 In regard to the ecological impacts of the site, the site comprises four main industrial units and outbuildings. The remainder of the site is laid out as a car park and the access road hardstanding, with small areas of ornamental shrub and planters. The ecological assessment states that the habitats present are considered of importance within the site only. The buildings within the site were considered to have negligible suitability for bats. The only potential roosting feature, Linac House, was occupied by starlings at the time of the survey. It is highly unlikely that this feature would be used by bats at the same time, but further surveys are recommended before demolition occurs to check if there have been any changes in conditions or use. In terms of breeding birds, starlings, a UK priority species listed as red on the Birds of Conservation Concern, were confirmed nesting within Linac House, and the remaining buildings and vegetated habitats on site are also suitable for breeding birds. A precautionary approach with regards to building demolition and vegetation removal should be implemented to include appropriate timings of works to avoid the main breeding

season. Two starling nest boxes are to be installed on Unit 1 to compensate for the loss of breeding opportunities.

- 5.51 In regard to biodiversity and ecological enhancements, the existing vegetation, consisting of limited areas of ornamental shrubs and planters, will be fully cleared as part of the development proposals. Proposed soft landscaping includes areas of flower-rich ornamental planting, wildflower meadow turf, mixed-species native hedgerow and new tree planting.
- 5.52 This landscaping is proposed across the site, predominantly to the front and along the eastern boundary. The existing hedge to the northern boundary of the site would be retained and the new planting to the site frontage would comprise a fastigate treeline of 5 upright hornbeam trees reinforced with a single-species native hedgerow maintained to 1.2m height, to visually buffer and soften the site frontage facing onto Fleming Way whilst also contributing to the biodiversity within the site. The trees would be underplanted with a native wildflower meadow grassland that would provide additional habitat for insects and invertebrates. The proposed pocket park to the north west area of the site, would include areas of wildflower grassland and native shrub planting, native tree planting and native hedges. The park would also comprise a bioretention area forming part of the Sustainable Drainage System on site whilst also providing additional habitat in the form of wildflower grassland. Landscaped arrival plazas are proposed for the entrances to units 1 and 2, and comprise feature paving enhanced with ornamental planting comprising feature shrubs, herbaceous perennials and grasses.
- 5.53 To the immediate east of Unit 1 a soft landscape bed is proposed to be planted with fastigate tree planting and native wildflower meadow grassland underplanting to buffer and soften views into the site from Fleming Way. The eastern boundary of the site would be planted with a mixed-species native hedgerow to reinforce the existing trees along the boundary whilst also softening views internally to the boundary and providing additional habitat within the site.
- 5.54 To the rear of the site, around Unit 3, on the western and western boundaries, areas of native shrub planting are proposed to the service yard and car parking areas.
- 5.55 The Ecologist advises that the proposal will provide for a net gain in biodiversity and recommends conditions relating to the ecological mitigation and enhancement measures, removal of invasive non-native species (wall cotoneaster), and a biodiversity compensation and enhancement strategy for protected and Priority species.
- 5.56 To conclude on these issues, it is considered that the scheme is acceptable subject to conditions to secure the landscaping and ecological measures and would therefore comply with the relevant Local Plan Policies and the Manor Royal SPD.

### **Water neutrality**

- 5.57 New development tends to result in water consumption increasing and Crawley is situated in an area of serious water stress. Much of Crawley's water is sourced from abstraction points within the Sussex North Water Resource Zone (SNWRZ), which drains water from the Arun Valley Special Area of Conservation, Special Protection Area and Ramsar Site (all designated sites under the Habitats Regulations).
- 5.58 Natural England is raising a serious concern that such abstraction may be causing significant adverse impacts on the biodiversity of such areas, and is highlighting that developments must not add to these impacts. The Local Planning Authority received a Position Statement from Natural England on 14 September 2021. It raised significant concerns about the impact of water abstraction in the SNWRZ upon the protected sites. Consequently, new development within the Water Resource Zone is required to be water neutral in order to avoid further adverse impact upon the protected habitats and species.
- 5.59 The applicant has submitted a Water Neutrality Statement addressing both the existing lawful uses of the site by Elekta, and the proposal for a B2 unit (for Elekta) and 2 x B8 warehouse units. The existing water consumption (baseline water use) has been calculated as 6,401m<sup>3</sup> per year, a figure which has been assessed and agreed by the Council's independent consultant, Water Environment.

- 5.60 The water consumption within the proposed buildings, based on the proposed uses, the floorspace of the buildings, layout and proposed water fittings, total estimated occupancy, hours of operation – namely 10 hours per day for 253 days a year for the B2 unit and 24 hours per day for 365 days per year for the B8 units, and the BREEAM calculations has been calculated by the applicant, and agreed by Water Environment, as 3,074m<sup>3</sup> / year. This consumption figure is less than the existing uses, being a 52% reduction.
- 5.61 These calculations do not include an allowance for showers for cyclists or external watering of the landscaping. Factoring in the provision of showers and the external watering option, the proposed development would consume 4,300 m<sup>3</sup>/year. This represents a 33% reduction in consumption from the baseline, demonstrating that it is comfortably water neutral even in this worst-case scenario.
- 5.62 In order to secure this level of water use, a condition is recommended requiring submission of details of the water fixtures and fittings to be used and their retention for the lifetime of the development and a condition relating to the hours/days of use for Unit 1 (the B2 use).
- 5.63 The proposed floor plans provided are limited to shell and core details only and therefore it is not possible based on the current information to determine whether a permanently staffed canteen will be included in any of the replacement buildings. Calculations, at present, do not account for this. Small un-staffed kitchenettes used by office staff to re-heat food, make tea or similar are included within the present calculations and would be permitted. As the canteen element is unknown at this stage, it is considered necessary to limit this by condition and if any were to be provided a revised water neutrality statement would be required.
- 5.64 It is thus considered that the development would be water neutral. However this is subject to a legal requirement to complete an Appropriate Assessment and consult with Natural England. It is therefore recommended that the proposals are permitted subject to the completion of the Habitats Regulations Appropriate Assessment and consultation with Natural England.

## **Air Quality and Noise**

- 5.65 The site lies some 1.3km from the centre of the Air Quality Management Area ( AQMA) which is centred around Hazelwick Roundabout to the south east. The Council's Air Quality Management Officer has reviewed the Air Quality Assessment report and considers that dust emissions during construction can be resolved by mitigation measures in accordance with best practice. This can be secured by condition.
- 5.66 In terms of the proposed use, she has advised that whilst the changes in pollutant concentrations associated with the operational phase of the proposed development were predicted to be negligible, *'the combined impact of similar developments in the area contributes to the cumulative effects on air, even when negligible. This may prolong the ability to meet compliance with air quality objectives within the AQMA and/or affect the implementation of action plan measures within an AQMA.'*
- 5.67 The emissions associated with the proposed development were used to calculate a damage cost and identify the appropriate level of mitigation to be provided. The updated emissions assessment determined the damage costs at a value of £33,096. This relates to the value of mitigation required to offset these adverse effects. It is recommended that these measures are secured by a s106 legal agreement in order to address these air quality issues. The package of measures are a range of on-site measures and the submitted report sets out that they could include EV charging points and ducting, PV panels, tree planting, cycle stands, air source heat pumps, showers and the appointment of a travel plan co-ordinator. The air quality measures are required to be over and above existing policy requirements and so the precise items are to be agreed when this clause of the s106 agreement is discharged.
- 5.68 In respect of noise, a Noise Impact Assessment has been submitted. The Environmental Health officer had asked for further information regarding noise impacts for the residents at the Premier Inn hotel. This has been provided and he now advises that he has no objection subject to conditions relating to any fixed plant and an informative regarding reversing beepers.

- 5.69 Overall, subject to conditions and a s106 agreement, the proposals would not result in an adverse impact upon air quality or noise and would therefore accord with adopted policies ENV11 and 12 and emerging policies EP4 and EP5.

### **Contaminated Land**

- 5.70 The site lies within Manor Royal and contains commercial buildings and is recorded as contaminated land on Council records. A Ground Investigation Report was submitted with the application and the Council's Contaminated Land officer has raised no objection to the proposal. The proposal, subject to a condition requiring implementation of the recommendations within the Remediation Strategy, is considered acceptable to address this matter.

### **Drainage and Flood Risk**

- 5.71 The proposed development site is a brownfield site with buildings and the majority of the remaining site area laid to hardstanding. The site is located within Flood Zone 1 and is an area with low potential of flooding. Thames Water records indicate that several sewers are present in the vicinity of the site – in the access road and along Fleming Way. The submitted Flood Risk Assessment and Drainage Strategy shows that sustainable drainage techniques would be used.
- 5.72 Surface water runoff would be discharged to the Thames Water surface water sewer manholes to the north of the site via a new gravity connection. In order to restrict surface water runoff to the rates required, attenuation would be needed. It is proposed to provide this through the use of below ground geocellular attenuation tanks, permeable paving and rain gardens. The report states that the combined SuDS scheme would provide water quality, water quantity, biodiversity and amenity benefits. The onsite drainage networks and SuDS would be privately managed and maintained for the lifetime of the development, to ensure they remain fit for purpose and function appropriately.
- 5.73 Thames Water has confirmed that it has no objection to the application with regard to foul or surface water drainage and recommends an informative on groundwater protection. Southern Water has confirmed that it can facilitate water supply to service the proposed development.
- 5.74 WSCC Flood Risk Management team required further details regarding the drainage strategy and have since confirmed that they have no objection subject to conditions relating to the submission of detailed drawings of the drainage system, a management and maintenance plan for the SuDS scheme, and certification of the implementation of the drainage system. The Council's Drainage Officer had no objection to the proposals for the disposal of surface water, but did request a construction phase surface water management strategy. This has now been provided and he has advised that this is satisfactory and has no objection subject to appropriate drainage conditions.
- 5.75 Overall therefore, subject to conditions covering the SuDS system's implementation and ongoing maintenance, it is considered that the drainage and flooding issues have been satisfactorily addressed by the proposal.

### **Gatwick Airport Safeguarding**

- 5.76 Gatwick Airport Safeguarding and NATS have both commented on the application. NATS has no objection. GAL Safeguarding has commented that the proposals have been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless conditions to address the following are imposed - the implementation of the Bird Hazard Management Plan, the submission of details for the PV array, and a cranes informative. These conditions and the informative are recommended accordingly.

### **Infrastructure and developer contributions**

- 5.77 A S106 agreement is required to secure the following:
- Works to the access
  - Travel Plan and monitoring fee of £3500
  - Employment and Skills Plan

- Air Quality mitigation measures on-site to a value of £33,096

5.78 In regard to the Manor Royal contribution towards public realm improvements, the proposal would result in a reduction in business floorspace and therefore a contribution would not be required in this instance.

## **CONCLUSIONS:-**

- 6.1 The redevelopment of the site would create three modern commercial units, which is considered acceptable in planning policy terms and would help support Manor Royal, and in particular an existing business. The revised design, whilst based on a typical functional warehouse design, has been revised to address concerns about the design, scale and massing of the site frontage on Fleming Way and now is considered acceptable on this prominent site. The operational needs of the site would be met by the proposed parking arrangements and the Local Highway Authority raises no objection. The proposal, in relation to matters such as drainage, air quality and contaminated land is acceptable, subject to conditions, and the sustainability measures would provide a BREEAM excellent rating for water and energy credits. The proposal would be water neutral.
- 6.2 Subject to the satisfactory conclusion of the required Habitats Regulations consultation with Natural England and the completion of a s106 legal agreement, the proposal would then, subject to conditions, accord with the relevant sections of the NPPF, policies within the Local Plan and the relevant Supplementary Planning Guidance. On this basis, it is recommended that planning permission be granted.

## **RECOMMENDATION RE: CR/2022/0609/FUL**

Delegate the decision to **PERMIT** to the Head of Economy and Planning, subject to:

- The satisfactory conclusion of the required Habitats Regulations consultation with Natural England;
  - Subject to the conclusion of a Section 106 legal agreement to secure:
    - Works to the access
    - Travel Plan and monitoring fee of £3500
    - Employment and Skills Plan
    - Air Quality mitigation measures on-site to a value of £33,096; and
  - Subject to the following conditions:-
1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
  2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
  3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, including any future amendments, Unit 1 hereby permitted shall only be used for purposes within Use Class B2 (General Industrial) and Units 2 and 3 shall only be used for purposes within Class B8 (Storage or Distribution), as defined in Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose.  
REASON: To ensure that the operational requirements of the site can be met and that water neutrality is achieved to accord with policies CH3, ENV2, and IN4 of the Crawley Borough Local Plan 2015-2030, policies DD1, GI2, SDC4 and ST2 of the Draft Crawley Borough Local Plan 2023-2040 and the Conservation of Habitats and Species Regulations 2017.

4. The hours of use for Unit 1 shall be :  
08:00 - 18:00 - Monday to Friday  
08:00 - 13:00 - Saturday

The unit shall not be used on any Sunday or designated Bank Holidays

REASON: In the interests of amenity and to ensure that water neutrality is achieved to accord with policies CH3, ENV2, and IN4 of the Crawley Borough Local Plan 2015-2030, policies DD1, GI2, ST2 and SDC4 of the Draft Crawley Borough Local Plan 2023-2040 and the Conservation of Habitats and Species Regulations 2017.

5. Notwithstanding the provisions of Class H, Part 7, Schedule 2 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), the buildings hereby approved shall not be extended or altered in any way unless the Local Planning Authority grants permission on an application in that behalf.

REASON: A more intensive use of the site would be likely to cause increased parking demand and a possible reduction of spaces on site, congestion on adjacent roads through overflow vehicle parking and/or cause harmful environmental effects contrary to Policies CH3, ENV2 and IN4 of the Crawley Borough Local Plan 2015-2030, policies DD1, GI2, ST2 and SDC4 of the Draft Crawley Borough Local Plan 2023-2040 and the Conservation of Habitats and Species Regulations 2017.

6. No development shall take place unless and until a plan detailing the proposed phasing for the implementation of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved phasing plan.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and policy DD1 of the Draft Crawley Borough Local Plan 2023-2040.

REASON FOR PRE-COMMENCEMENT: The phasing of development across the site needs to be carefully managed and therefore needs to be addressed at an early stage.

7. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:

- a) the anticipated number, frequency and types of vehicles used during construction;
- b) the method of access and routing of vehicles during construction;
- c) the parking of vehicles by site operatives and visitors;
- d) the loading and unloading of plant, materials and waste;
- e) the storage of plant and materials used in construction of the development;
- f) the erection and maintenance of security hoarding;
- g) required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
- h) details of public engagement both prior to and during construction works.

REASON: In the interests of highway safety and the amenities of the area and in accordance with policies CH3, ENV11 and ENV12 of the Crawley Borough Local Plan 2015-2030 and policies DD1, EP4 and EP5 of the Draft Crawley Borough Local Plan 2023-2040.

REASON WHY PRE-COMMENCEMENT CONDITION: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.

8. No development, including any site setting up works, shall take place until a dust management plan to control the emission of dust from the demolition and construction works at the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be fully implemented on commencement of the site works in strict accordance with the agreed plan and shall remain in force until the completion of the development. The approved plan should follow the guidance and recommendations in the Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction.

REASON: In the interests of amenity in accordance with policies CH3 and ENV12 of the Crawley Borough Local Plan 2015-2030 and policies DD1 and EP5 of the Draft Crawley Borough Local Plan 2023-2040.

REASON WHY PRE-COMMENCEMENT CONDITION: As it relates to potential impact upon the surrounding area starting from the setting up for construction activities and demolition.

9. The development hereby permitted shall be carried out in accordance with the Arboricultural Impact Assessment dated October 2023 and its Tree Protection Plan submitted with the application. The agreed tree protection measures set out within the report must be fully implemented prior to the commencement of site setting up activities or demolition and thereafter maintained for the duration of the construction works.  
REASON: To ensure that the trees to be retained are not compromised during the construction of the development in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and policy DD1 of the Draft Crawley Borough Local Plan 2023-2040.  
REASON WHY PRE-COMMENCEMENT CONDITION: As site setting up activities involve risk to nearby trees and to ensure that no harm occurs to the trees that are being retained.
10. No phase of the development hereby permitted shall be implemented unless and until detailed plans and particulars of the land levels and the finished floor levels of the buildings in that phase have been submitted to and approved in writing by the Local Planning Authority. The buildings shall be constructed in accordance with the approved levels.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030 and policy DD1 of the Draft Crawley Borough Local Plan 2023-2040.  
REASON FOR PRE-COMMENCEMENT: The levels across the site will form an integral part of the development and therefore need to be addressed at an early stage.
11. No development above slab level shall take place unless and until there has been submitted to, and approved by, the Local Planning Authority a soft and hard landscaping scheme, including details of retained trees, boundary treatments, grassed areas, the species, number and spacing of trees, hedges and shrubs to be planted and details of any water features.  
REASON: In the interests of amenity, of the environment of the development and to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in the bird hazard risk of the application site, in accordance with policies CH3 and IN1 of the Crawley Borough Local Plan 2015–2030, the Green Infrastructure Supplementary Planning Document and policies DD1 and IN1 of the Draft Crawley Borough Local Plan 2023-2040.
12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building 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 others of similar size and species. All hard landscaping comprised in the approved details of landscaping shall be carried out before the completion of the development or first occupation, whichever is the sooner.  
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 and policy DD1 of the Draft Crawley Borough Local Plan 2023-2040.
13. Prior to the first occupation of the development, a Landscape Management Plan which covers a period of no less than 15 years shall be submitted to and 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 along with water efficiency and conservation measures. The development shall be carried out in accordance with the approved details.  
REASON: In the interests of visual amenity of the area and to ensure that the development is water neutral in accordance with policies CH3 and ENV2 of the Crawley Borough Local Plan, policies DD1, GI2 and SDC4 of the Draft Crawley Local Plan 2023 - 2040 and the Manor Royal Supplementary Planning Document 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.



14. All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Temple Group Ltd, July 2022) as submitted with the planning application.  
REASON: To conserve and enhance protected and Priority species, to allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and policy GI2 of the Draft Crawley Borough Local Plan 2023-2040.
15. No development shall take place unless and until an invasive non-native species protocol has been submitted to and approved by the Local Planning Authority. This shall include details of the containment, control and removal of the Wall Cotoneaster present on site. The works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.  
REASON: In the interests of ecology and biodiversity, to allow the Local Planning Authority to discharge its duties under the Wildlife & Countryside Act 1981 (as amended) and the Environmental Protection Act 1990 and the Environmental Protection Act Duty of Care Regulations 1991, and in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and policy GI2 of the Draft Crawley Borough Local Plan 2023-2040.  
REASON FOR PRE-COMMENCEMENT: To ensure appropriate measures during the construction phase are implemented for the removal of non-native invasive species.
16. Prior to first occupation, a Biodiversity Compensation and Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the Local Planning Authority. The content of the Biodiversity Compensation and Enhancement Strategy shall include the following:  
a) Purpose and conservation objectives for the proposed measures;  
b) detailed designs or product descriptions to achieve stated objectives;  
c) locations, orientations and heights of proposed measures by appropriate maps and plans (where relevant);  
d) persons responsible for implementing the measures; and  
e) details of initial aftercare and long-term maintenance (where relevant).  
The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.  
REASON: To enhance protected and Priority species & habitats, to allow the Local Planning Authority to discharge its duties under the National Planning Policy Framework and s40 of the NERC Act 2006 (Priority habitats & species), and in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and policy GI2 of the Draft Crawley Borough Local Plan 2023-2040.
17. Any external fixed plant installed shall meet the following rating: LAr,Tr = 44 dB (Day-time (07:00 to 23:00hrs) and LAr,Tr = 42 dB Night-time (23:00-07:00hrs) at the nearest noise sensitive premises.  
REASON: In the interests of amenity and in accordance with policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030, policies DD1 and EP4 of the Draft Crawley Borough Local Plan 2023-2040 and the relevant provisions of the National Planning Policy Framework.
18. No above ground development shall be carried out unless and until a schedule of materials and finishes, along with samples of such materials and finishes, to be used for external walls and roofs of the proposed buildings have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the agreed materials unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve buildings of visual quality in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030 and policy DD1 of the Draft Crawley Borough Local Plan 2023-2040.
19. No above ground works shall be carried out unless and until precise details (including a 1:20 section of the glazing details), showing the window profiles, main entrance door fenestration profiles and surrounding details for each unit have been submitted to and been approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details.  
REASON: To control the development in detail and to ensure a high quality development in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and policy DD1 of the Draft Crawley Borough Local Plan 2023-2040

20. The development hereby approved shall be implemented in strict accordance with the Ground Investigation Report October 2023 submitted with the application. The specifications for the drinking water supply pipes shall be submitted to and approved by the Local Planning Authority, prior to their implementation.  
REASON: The proposed site has been used for commercial purposes for many years and has the potential to have areas of contamination and to ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution or contaminated land in accordance with policy ENV10 of Crawley Borough Local Plan 2015-2030 and policy EP3 of the Draft Crawley Borough Local Plan 2023-2040.
21. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.  
REASON: To ensure that the development does not contribute to, or is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in line with with policy ENV10 of Crawley Borough Local Plan 2015-2030, policy EP3 of the Draft Crawley Borough Local Plan 2023-2040 and paragraph 170 of the National Planning Policy Framework.
22. Within three months of the occupation of any building forming part of the development, a post-construction report shall be submitted to and 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 2015-2030, policy SDC1 of the Draft Crawley Borough Local Plan 2023-2040 and the Planning and Climate Change Supplementary Planning Document.
23. No phase within the development shall be occupied until the measures relating to that phase which are detailed in the submitted Energy Strategy Issue 4, dated October 2023, and Sustainability Statement Issue 7, dated March 2024, have been implemented.  
REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030, policy SDC1 of the Draft Crawley Borough Local Plan 2023-2030 and the Planning and Climate Change Supplementary Planning Document.
24. Prior to the commencement of the development hereby permitted, details showing the proposed location of one fire hydrant or stored water supply (in accordance with the West Sussex Fire and Rescue Guidance Notes) shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented prior to occupation of the development and thereafter retained.  
REASON: To ensure the operational requirements of the development in accordance with policies IN1 and CH3 of the Crawley Borough Local Plan 2015–2030 and policies DD1 and IN2 of the Draft Crawley Borough Local Plan 2023-2040.  
REASON FOR PRE-COMMENCEMENT: This condition is required pre-commencement as it relates to how the site layout and building will be constructed.
25. Prior to the occupation of any phase of the development hereby permitted, the car, motorcycle and lorry parking spaces (including the electric vehicle charging spaces) and the turning and manoeuvring areas for that phase shall be constructed in accordance with the approved plans. These spaces and areas shall thereafter be retained for their designated use.  
REASON: To provide adequate on-site vehicle parking and turning space for the development in accordance with policies CH3 and IN3 of the Crawley Borough Local Plan 2015-2030, the car parking standards in the Urban Design Supplementary Planning Document and policies DD1 and ST2 of the Draft Crawley Borough Local Plan 2023-2040 .
26. No phase of the development hereby permitted shall be occupied unless and until plans and elevations have been submitted to and approved in writing by the Local Planning Authority for the following facilities relating to that phase:

- (i) cycle parking facilities;
- (ii) details of the storage of refuse / recycling provision; and
- (iii) details of the substation and transformer plants.

The agreed details must be laid out and available prior to first occupation of that phase of the development and retained for the life of the development unless otherwise approved in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and to ensure the operational and servicing requirements of the development are met in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030 and policy DD2 of the Draft Crawley Borough Local Plan 2023-2040.

27. No phase within the development shall be occupied until the electric vehicle charging points identified on the site plan drawing no. 19032-HNW-ZZ-ZZ-DR-A-2121 Rev P17 relating to that phase have been installed, made operational and are available for use. The electric vehicle charging points shall thereafter be maintained.  
REASON: In the interests of environmental sustainability, in accordance with policy ENV6 of the Crawley Borough Local Plan 2015-2030, policy SDC1 of the Draft Crawley Borough Local Plan 2023-2040 and the Planning and Climate Change Supplementary Planning Document.
28. The Bird Hazard Management Plan Version 2.0 dated 31/10/22 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 in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030 and policy IN1 of the Draft Crawley Borough Local Plan 2023-2040.
29. Prior to the commencement of development, construction drawings of the surface water drainage network, associated sustainable drainage components and flow control mechanisms shall be submitted and agreed in writing by the local planning authority. The scheme shall then be constructed as per the agreed method statement, FRA (Flood Risk Assessment and Drainage Strategy, prepared by Fairhurst, March 2024, Ref. 143413-FAH-ZZ-XX-RP-C-02-10) and Drawing 143431-FAH-ZZ-00-SK-D-001-P9 and remaining in perpetuity for the lifetime of the development unless agreed in writing by the Local Planning Authority. No alteration to the agreed drainage scheme shall occur without prior written approval from the Local Authority.  
REASON: To ensure that the development achieves a high standard of sustainability and to comply with the National Planning Policy Framework and policy ENV8 of the Crawley Borough Local Plan 2015-2030 and policy EP1 of the Draft Crawley Borough Local Plan 2023-2040.
30. No phase within the development shall be occupied until a survey and report from an independent surveyor has been submitted to and approved in writing by the Local Planning Authority. The survey and report shall demonstrate that the surface water drainage system has been constructed in accordance with the details approved pursuant to Condition 29. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed with the findings submitted to and approved in writing by the Local Planning Authority.  
REASON: Part of the proposal is to re-profile the existing land to reduce the incidence of ponding within the development. Furthermore the surface water strategy has been phased into three areas which each area having its own SuDS system. The performance of the drainage system will depend on the effectiveness of the proposed surface water management strategy and this must be proven to avoid flooding within the development and to ensure the flood risk is adequately addressed, not increased and users remain safe for the lifetime of the development in accordance with the National Planning Policy Framework, policy ENV8 of the Crawley Borough Local Plan 2015-2030 and policy EP1 of the Draft Crawley Borough Local Plan 2023-2040.
31. No phase within the development shall be occupied until the photovoltaics relating to that phase which are referred to in the submitted Energy Strategy Issue 4, dated October 2023, the Sustainability Statement Issue 7, dated March 2024 and shown on drawing no. 19032-HNW-ZZ-ZZ-DR-A-2150 Rev

P02, have been installed in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority.

REASON: In the interests of environmental sustainability and 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 ENV6 of the Crawley Borough Local Plan 2015-2030, policy SDC1 of the Draft Crawley Borough Local Plan 2023-2030 and the Planning and Climate Change Supplementary Planning Document.

32. The development, including the installation of water efficient fixtures and fittings, shall be carried out in strict accordance with the details set out in the Water Neutrality Statement Issue 8 and the Sustainability Statement Issue 7 submitted with the application. The approved details for each unit shall be implemented in full prior to the first occupation of each unit of the development hereby approved and remain for the lifetime of the development.

REASON: Taking account of the Natural England Position Statement on water neutrality received on 14 September 2021 and to ensure that the development is water neutral and 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 and in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and policies GI2 and SDC4 of the Draft Crawley Borough Local Plan 2023-2040.

33. No permanently staffed canteen shall be provided in the development hereby permitted.

REASON: To ensure the development is water neutral in accordance with policy ENV9 of the Crawley Borough Local Plan 2015-2030 and policy SDC4 of the Draft Crawley Borough Local Plan 2023-2040.

34. The development hereby permitted shall not commence until measures to enable the development to be 'network ready' to connect to a future District Energy Network, as indicated on drawing 19032-HNW-ZZ-ZZ-DR-A-2121 Rev P17 (Site Plan As Proposed), have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the agreed details.

REASON: In the interests of environmental sustainability, in accordance with policy ENV7 of the Crawley Borough Local Plan 2015-2030, policy SDC2 of the Draft Crawley Borough Local Plan 2023-2040 and the Planning and Climate Change Supplementary Planning Document.

## INFORMATIVES

1. Within the boundaries of Crawley Borough Council, the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.  
The permitted hours for noisy construction work in the Borough of Crawley are as follows:  
0800 to 1800 Monday to Friday; and  
0800 to 1300 on Saturday,  
With no noisy construction works taking place on Sundays, Bank Holidays, Public Holidays, Christmas Day, Boxing Day or New Year's Day.  
The developer shall employ at all times the best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'. Any exemptions to the above hours must be agreed with the Environmental Health team in advance.
2. Given the nature of the proposed development it is possible that a crane or tall reaching construction equipment may be required during construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. London Gatwick requires a minimum of four weeks' notice. For crane queries/applications, please visit Crane Permits ([gatwickairport.com](http://gatwickairport.com)) or email [cranes@gatwickairport.com](mailto:cranes@gatwickairport.com).
3. 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.

4. The applicant is advised install broad-band reversing beepers for all fleet vehicles used for vehicle movement operations on site.
5. The applicant is directed to the advice from Sussex Police in their consultation response letters dated 20th October 2022 and 8th December 2023. The applicant should consider the implementation of security measures which can be found at [www.securedbydesign.com](http://www.securedbydesign.com) and also consider the comments made about issues such as CCTV, secure cycle parking and the Parkmark scheme.
6. The applicant is referred to the comments from UKPN dated 22nd October 2022 regarding the substations.
7. The applicant is advised of the following advice from Thames Water:  
There are public sewers crossing or close to the development. The applicant is advised to read Thames Water's guide on working near to or diverting pipes.  
With regard to water supply, this comes within the area covered by Southern Water plc. For the applicant's information, the address to write to is Southern House, Yeoman Road, Worthing, West Sussex BN13 3NX. Tel 0845 2780845.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed online via [www.thameswater.co.uk](http://www.thameswater.co.uk) - Please refer to the Wholesale; Business customers; Groundwater discharges section.

#### 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/applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of the application.

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



# ArcGIS Web Map



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RH10 1UZ  
Tel: 01293 438000

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