

REFERENCE NO: CR/2017/0974/FUL

LOCATION: [ZURICH HOUSE, EAST PARK, SOUTHGATE, CRAWLEY](#)
WARD: Southgate
PROPOSAL: DEMOLITION OF EXISTING BUILDING AND ERECTION OF A NEW PART 3 AND PART 4 STOREY BUILDING COMPRISING 56 APARTMENTS (30 X ONE BED AND 26 X TWO BED) TOGETHER WITH 56 CAR PARKING SPACES AND LANDSCAPING (AMENDED DESCRIPTION AND AMENDED PLANS RECEIVED)

TARGET DECISION DATE: 20 February 2018

CASE OFFICER: Mrs J. McPherson

APPLICANTS NAME: East Street Homes (South East) Ltd

AGENTS NAME: Boyer Planning

PLANS & DRAWINGS CONSIDERED:

051603-ESH-104, Site Location Plan
051603-ESH-101, Block Plan/Presentation Layout
051603-ESH-102, Proposed Site Plan/Supporting Layout
051603-ESH-103, Storey Heights Layout
051603-ESH-PER-101, Perspective 01
051603-ESH-SS-101, Street Scene 01
051603-ESH-E10, Proposed Elevations Sheet 1
051603-ESH-E11, Proposed Elevations Sheet 2
051603-ESH-P10, Proposed Ground Floor Plan
051603-ESH-P11, Proposed First & Second Floor Plans
051603-ESH-P12, Proposed Third Floor Plan
051603-ESH-P13, Proposed Fourth Floor Plan

CONSULTEE NOTIFICATIONS & RESPONSES:-

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|-----|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. | GAL - Aerodrome Safeguarding | No objection subject to a condition and informative. |
| 2. | Network Rail | No comments received. |
| 3. | Environment Agency | Refer to standing advice – no formal consultation needed. |
| 4. | WSCC - Highways | No objection subject to conditions and informatives |
| 5. | National Air Traffic Services (NATS) | No objection. |
| 6. | Thames Water | No objection subject to a condition requiring a piling Method statement. |
| 7. | Sussex Building Control Partnership | No comments received |
| 8. | Police | No objection – detailed design advice provided. |
| 9. | CBC - Drainage Officer | Notes application is revision of refused proposal to Address design and parking. Provided drainage arrangements are the same as previously no objection. |
| 10. | West Sussex Fire Brigade | No comments received |
| 11. | CBC - Housing Enabling & Development Manager | Verbal advice – no objection |
| 12. | CBC - Planning Arboricultural Officer | No objection provided works in accordance with AMS |
| 13. | UK Power Networks | No objection |

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| 14. | CBC - Contaminated Land | No objection subject to condition. |
| 15. | CBC - Environmental Health | Comments as per previous application (CR/2017/0180/FUL) |
| 16. | Cycle Forum | Level of cycle provision proposed appears to comply with Council standards and generally considered well located for security. No cycle parking for visitors or deliveries – recommends some short term cycle parking stands should be placed at the site entrance. Detailed design advice provided on kerbs and crossings. |
| 17. | CBC - Refuse & Recycling Team | No objection |
| 18. | Southern Water Ltd | Requests informative. |
| 19. | CBC - Energy Efficiency & Sustainability | No objection subject to condition |
| 20. | CBC - FP - Urban Design | Design advice provided. |
| 21. | Archaeology Officer - Alex Egginton | No objection |
| 22. | WSCC - Surface Water Drainage (SWD) | Drainage strategy is identical to CR/2017/0180/FUL this would be acceptable in principle. LPA should agree surface water drainage details. |
| 23. | NHS Crawley Clinical Commissioning Group | Notes that the Borough Council has now adopted CIL. The additional patients arising from any development are noted and will seek a CIL bid for recognised infrastructure purpose NHS capital improvements when funds are available. |
| 24. | Southgate CAAC | No comments received |

NEIGHBOUR NOTIFICATIONS:-

The site was advertised by a press notice and site notice.

In addition to the required publicity, the following addresses were notified as they had commented on the previous planning application CR/2017/0180/FUL which relates to this site.

- 3, 10, 16, 17, 18, 20, 21, 29 Clitherow Gardens;
- 2A, 14, 34, 35, 64A, 63, 86, 87, 90, 104, 106, 114, 120, 122, and Longley Cottage, Malthouse Road;
- 5, 21, 31, 33, 35, 36, 41, 45, 47, 48, 49, 61, 71, 73, East Park;
- 4 and 12 Rosemead Gardens, Richmond Court;
- 18 Beeches Road;
- 21 Southgate Road;
- 14 Hawth Close;
- 7 Brewer Road;
- County Councillor for Southgate & Crawley Central Division;
- Parking Services Officer, Town Hall, Crawley;
- 518 High Road, Leyton.

All addresses were re-consulted on the amended plans received.

RESPONSES RECEIVED:-

7 responses were received to the original application raising the following concerns:

Building Design and impact on surrounding area

- 5 storey building is too high – development is too large (especially in relation to existing houses in East Park)
- Building height out of keeping with surroundings in terms of its flat roof design, materials, scale and appearance.
- Building does not have a ‘traditional appearance’.
- Height of building and number of flats should be reduced.
- Density too high – too many flats.

- The design would not address crime and anti-social behaviour with its design features such as open parking areas and unsecured access doors.
- Proposal will impact on Conservation Areas in terms of appearance / residential character and traffic flow / parking.
- More consideration should be made of the Conservation Area.

Neighbour impacts

- Overlooking / loss of privacy – loss of top floor from previously refused scheme does not alter overall size/ mass of building.
- Houses opposite would be overlooked.

Parking provision and highway impacts

- Concerns regarding highway safety due to narrow roads, congestion at peak times for nearby schools and commuter pick up/drop off.
- East Park / Malthouse Road already dangerous for cyclists
- Plans do not address concerns of previously refused scheme – still not enough parking
- Proposal will increase traffic and cause further congestion and delay.
- Single vehicle visitor parking space proposed is inadequate
- How is visitor space to be controlled? Will this result in one less on-street space for residents?
- Concern lack of parking would lead to verge parking in Clitherow Gardens – if approved allowance should be made to protect grass verges.
- East Park cannot accommodate increased traffic – parking permits are over-subscribed
- Lack of visitor parking would result in more pressure outside of enforcement hours (illegal parking is a problem)
- Concerns about access for construction vehicles as the roads are narrow and in poor condition

Evidence in application submission

- Residential examples provided in submission of other blocks of flats have no relationship to East Park
- Developer references Overline House but no progress on this site for 18 months
- Any development at Longley House not comparable as this would not take access from East Park
- Question reliability of developer parking surveys. There are rarely parking spaces in evenings contrary to developers survey
- Parking survey of wider area too wide – available spaces in some nearby streets not close enough to East Park for practical use
- Supporting documents seem to hold conflicting information on refuse arrangements in relation to collection point – front or rear? - Can refuse arrangements can be adequately serviced?

General comments

- Support flats on site but not this proposal.
- Developers are squeezing too much onto the site.

5 further responses received to the re-consultation on the amended plans (3 from residents who have previously commented) raising the following concerns:

- The flats would ruin the Victorian 2 storey look of the street
- The new building design is still out of character with the street
- The changes are minimal and do not address the appeal Inspectors refusal.
- Building is still unsympathetic block, bulk is too close to the road, west elevation step increase is too abrupt
- Development still too large – too many apartments and will still dominate the area
- Concern about on-street rubbish collection, where this would be stored and additional congestion on the highway
- Parking would be more difficult in the area after 6pm.
- Parking still inadequate for future residents, parking spaces are unallocated and one space seems to be on the road.
- Increase in traffic, current roads and parking difficult – not enough space to accommodate any more vehicles

- There is no provision for visitor parking. Visitors to flats would find parking difficult – situation would be more difficult for East Park residents
- Clarification needed over pool car and restriction of parking permits and submitted transport data
- Still concern about increased traffic, highway safety and disruption along the local streets

REASON FOR REPORTING TO COMMITTEE:-

The application is 'major' development.

THE APPLICATION SITE:-

- 1.1 The application site is an area of 0.3ha to the north of and accessed from East Park, the site is generally level. There is a three storey late 1970s early 1980s office building finished in a facing brick in the centre of the site with a "T Shaped layout. There are parking areas to the east, north and west of the building, and the adjacent to East Park frontage is landscaped with a line of protected trees (protected under TPO reference 04/2017). The site is currently secured via hoardings and the two original site accesses onto East Park have been closed.
- 1.2 To the south and east of the site the area is generally two storey late C19th/early C20th semi-detached brick and (historically) slate roofed villas. To the east is Longley House a three storey office building surrounded by car-parking and to the south east is a late C20th mixed housing development of predominantly two storey buildings arranged around cul-de-sacs.
- 1.3 To the north of the site is the Arun Valley railway line and adjacent to the boundary is the southbound platform of Crawley railway station. The pedestrian footbridge for the station is also to the north of the site. On the north side of the railway line is the north bound platform and Overline House a six storey office block incorporating the railway station on part of the ground floor.
- 1.4 To the west is a pedestrian access to the railway station that rises from East Park to meet the southbound station platform, beyond this is a late C19th/Early C20th semi-detached house that has been split into two one bedroom flats, with shared garden space to the rear and east side. To the north of these flats is an open car-park.
- 1.5 The site is identified as an allocated and deliverable key housing site under policy H2 of the Local Plan and is outside of but adjacent to the Town Centre Boundary which is also a main employment area. Both Longley House to the east and Overline House to the north are within the Town Centre Boundary.

THE PROPOSED DEVELOPMENT

- 2.1 The application seeks planning permission for a part 3 and part 4 storey block of flats providing a total of 56 dwellings. It should be noted that during the course of considering this application the amount of development has been reduced (removing a top/4th floor, amending design and elevations resulting in a reduction of 10 apartments) following consideration of consultee / third party comments and to address the conclusions of the appeal Inspector. This will be discussed later in the report.
- 2.2 The building would have a 'T'-shaped layout with the main frontage facing East Park and the base of 'T'; facing the railway station and Overline House to the north. 30 x 1 bedroom and 26 x 2 bedroom apartments are proposed. 8 of the units have been offered as affordable shared ownership units.
- 2.3 The proposed building in form and layout occupies a similar footprint to the office building currently on site although is closer to the western boundary by 5.6m, closer the southern boundary with East Park by 2.2 to 3.5m and closer to the eastern boundary with Longley House by 7.5m. In terms of scale, the building steps up in height away from the western boundary. When viewed along the East Park frontage, the building is 3 storeys in height for 5m and then steps up to 4 storeys (12.7m high). The proposed building is designed in a modern style with a flat roof.

- 2.4 In terms of materials, it is proposed to finish the building in red brickwork with terracotta facing tiling with the use of lighter cladding breaking up elements of the top(third) floor. The elevations are proposed to be articulated with a varying window patterns and balconies.
- 2.5 56 parking spaces are provided, one space per flat. Vehicular access is proposed from the existing western access which would be amended. The existing eastern access serving the site (adjacent to Longley House) would be stopped up and would provide a parking space for one of the apartments. The remaining 55 parking spaces would be provided to the rear / north and along the western boundary of the site.
- 2.6 The protected trees along the southern boundary with East Park are proposed to be retained and additional landscaping introduced around the building and parking areas. Refuse and cycle storage areas are to be provided within the centre of the building.
- 2.7 The application has been accompanied by the following supporting documents:
- Design and Access Statement and addendum
 - Planning Statement
 - Utilities Statement
 - Arboricultural Method Statement – revised 2 May 2018
 - Arboricultural Impact Assessment – revised 2 May 2018
 - Sustainability and Energy Statement and addendum
 - Transport Statement and addendum
 - Travel Plan
 - Viability Report
 - Heritage Impact Assessment
 - Noise Impact Assessment
 - Site Investigation Report
 - Flood Risk Assessment and Drainage Strategy

RELEVANT PLANNING HISTORY

- 3.1 The three storey office building that currently occupies the appeal site was granted outline permission under reference CR/54/79 with reserved matters subsequently discharged under CR/230/79.
- 3.2 CR/2011/0171/FUL for a scheme comprising 69 flats over a T-shaped block of 5, 6 and 7 storeys was refused for the following reason:
- “The proposed building by virtue of its height, bulk and massing would result in a dominant and overbearing form of development in the street scene and in particular when viewed from surrounding residential properties contrary to Policy EN5 in the Local Development Framework Core Strategy and ‘saved’ policies GD1 and GD2 of the Crawley Borough Local Plan.”*
- 3.3 In 2012 planning permission was granted for the erection of an up to five storey block of 59 flats, including 70 car-parking spaces, 74 cycle parking spaces, refuse storage and landscaping. It would have comprised 21x one bedroom and 38x two bedroom units. Ref. CR/2012/0223/FUL. This permission has lapsed.
- 3.4 Application CR/2017/0180/FUL for a scheme for 75 flats (comprising one and two bedroom units) in a part 3, part 4, part 5 and part 6 storey building along with associated parking (48 off-street spaces) and landscaping was refused on 30th August 2017 for 2 reasons:
- 1 *“The proposed building by virtue of its height, scale and massing would result in a dominant and unsympathetic form of development in the street scene of East Park contrary to policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030.”*
- 2 *“The proposed development fails to provide adequate on-site parking provision for its future occupants which would result in further on-street parking in the surrounding residential streets to the*

detriment of the amenities of nearby residents and contrary to policies CH3, IN4 in the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design Supplementary Planning Document 2016.”

- 3.5 Application CR/2017/0180/FUL was subject to an appeal. The appeal was dismissed on the 12th March 2018. The LPA case was successful in relation to refusal reason 1 but not in respect of refusal reason 2. In dismissing the appeal the Inspector concluded that *“The appeal scheme would provide sufficient off-road parking but this would not outweigh the harm to the character and appearance of the area”*. This recent appeal decision is a material consideration in the determination of this current application.

PLANNING POLICY:-

The National Planning Policy Framework (2012):

- 4.1 The National Planning Policy Framework (NPPF) was published in March 2012 and introduced the presumption in favour of sustainable development in approving developments that accord with the development plan without delay or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts or it would be contrary to the policies in the NPPF.
- 4.2 Part 4 applies to promoting sustainable transport and emphasises that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. It also supports the use of travel plans, balancing land uses to minimise journey lengths and sets out considerations to take into account in relation to parking standards.
- 4.3 Part 6 applies specifically to delivering homes and seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development and are to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 4.4 Part 7 emphasises the importance of good design to achieve high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes. Design codes can be used to achieve high quality outcomes, and decisions should promote and reinforce local distinctiveness without imposing forms, styles or particular tastes on development.

RELEVANT PLANNING POLICIES

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

- 4.5 Policy SD1 is the overarching policy for this plan and states that there will be a presumption in favour of sustainable development. Development will be supported when it complements Crawley's character as a compact town within a countryside setting, developed on a neighbourhood principle and maximises the opportunities for sustainable travel. Development will be supported where it respects the heritage of the borough and protects, enhances and creates opportunities for Crawley's unique Green Infrastructure and accords with the policies and objectives set out in this plan unless material considerations indicate otherwise.
- 4.6 Policy CH2 outlines the principles of good Urban Design. The policy seeks to assist in the creation, retention or enhancement of successful places in Crawley. In particular development proposals will be required to:
- to protect and/or enhance heritage assets,*
 - (b) create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas,*
 - (c) create public spaces and routes that are attractive, safe, uncluttered and which work effectively for all in society including disabled and elderly people,*
 - (d) make places that connect with each other and are easy to move through,*
 - (e) provide recognisable routes, intersections and landmarks to help people find their way around,*

(f) consider flexible development forms that can respond to changing social, technological and economic conditions,

(g) provide diversity and choice through a mix of compatible development and uses that work together to create viable places that respond to local needs”.

- 4.7 Policy CH3 sets out the ‘Normal Requirements of All New Development’ and states that all proposals should be based on a thorough understanding of the significance and distinctiveness of the site, be of a high quality in terms of its design, sympathetic to its surroundings, provide a good standard of amenity for future occupants, retain trees which contribute positively to the area, meet its own operational requirements and demonstrate that it addresses the principles included within both ‘Secure by Design’ and ‘Building for Life’ criteria.
- 4.8 Policy CH5 seeks to ensure all new dwellings create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents. The minimum size of each dwelling should accord with the Nationally Described Space Standards.
- 4.9 Policy CH6 requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site however, where this is not feasible commuted sums will be sought in lieu on a per tree basis.
- 4.10 Policy CH8 identifies important views which should be protected. These views are divided into two categories, linear contained and long distance views. Of particular relevance to this site are the linear views north along Brighton Road from A23/A264 junction and the long distance view from Tilgate Park.
- 4.11 The site is adjacent to the Town Centre Boundary which extends to the north and east, which is also identified as a main employment area. Policy EC4 requires that where residential development is proposed within or adjacent to the Main Employment Areas, the principle concern will be to ensure that the economic function of the area is not constrained.
- 4.12 The site is identified under policy H2 as a key housing deliverable housing site providing an indicative minimum of 59 dwellings. Housing policy H3 states that all housing development should provide a mix of dwelling types and sizes to address local housing needs and market demand. Policy H4 requires 40% affordable housing from all residential developments. In addition 10% low cost housing is required on developments for 15 or more dwellings. These targets will apply unless evidence can be provided to show that the site cannot support those requirements from a viability perspective and that the development clearly meets a demonstrable need.
- 4.13 Policy ENV5 requires development to make provision for open space and recreational facilities.
- 4.14 In respect of sustainability, policy ENV6 requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes. In addition the site is within a priority area for District Energy Networks and policy ENV7 encourages the delivery of district energy networks and associated infrastructure or low carbon energy approach for new development. Policy ENV9 requires development to minimise its impact on water resources and promote water efficiency.
- 4.15 In relation to safeguarding the environment policy ENV10 deals with pollution management and land contamination and policy ENV11 requires applications to be accompanied by a noise impact assessment where there is likely to be exposure to significant or unacceptable noise exposure.
- 4.16 In relation to infrastructure policy IN2 requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure while policy IN3 requires development to be concentrated in locations where sustainable travel patterns can be achieved.

- 4.17 Infrastructure policy IN4 sets out that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs assessed against the Council's car and cycle parking standards. For residential development standards are based on the accessibility of the area, the levels of car ownership and size of any new dwellings.
- 4.18 Policy IN6 states that any improvements or development at or within the vicinity of the railway stations will be expected to enhance the specific roles of the individual stations. At Crawley Station it should support its role as a major gateway to the Town Centre and improve its integration with the main shopping area and bus station.

Other Material Considerations:

- 4.19 **'Green Infrastructure' SPD (adopted October 2016)**
This document includes a costing of £700 per tree in lieu of on-site planting.
- 4.20 **'Planning and Climate Change' (adopted October 2016).**
This document provides guidance and justification for the sustainability policies in the Local Plan.
- 4.21 **'Urban Design' (adopted October 2016)**
This document includes further guidance and examples and explanation of the principles of good urban design, public realm design and sets out guidance on outdoor amenity space standards. The adopted parking standards are contained in Annex 1 of this document, the minimum indicative parking standard for this development is 1 space per dwelling.
- 4.22 **'Affordable Housing' SPD (adopted November 2017).**
This document provides guidance on the requirements of policies H3 and H4 in the Crawley Borough Local Plan and in particular when affordable housing would be sought from residential development. This application is supported by a viability assessment which has been through independent scrutiny and will be discussed later in the report.

PLANNING CONSIDERATIONS:-

- 5.1 Policy H2 in the Crawley Borough Local Plan 2015-2030 (LP) identifies the application site as a key deliverable housing site with an indicative capacity to deliver 59 dwellings. This indicative figure was based on the previous planning permission granted in 2012 (CR/2012/0223/FUL) which has now lapsed. The proposed use of this site for 56 apartments is therefore fully compliant with the adopted LP in principle. The issues therefore are whether the proposal as designed, planned and laid out is in accordance with the other relevant policies in the LP.
- 5.2 The key planning considerations in respect of this application are therefore as follows:
- Design and appearance of the development and the impact on the street scene
 - Impact on neighbours
 - Adequacy of the accommodation proposed (size, layout and noise issues)
 - Impact on highways, access and parking (including cycle parking and refuse provision)
 - Sustainability and sustainable urban Drainage
 - Impact on protected trees – proposed landscaping
 - Crime and anti-social behaviour
 - Infrastructure contributions (Affordable housing/CIL/and other S106 monies)
 - Other.

Design and appearance of the development and the impact on the street scene.

- 5.3 The comments of appeal Inspector are a material consideration in relation to considering the design, appearance and impact of this application as the previous development (CR/2017/0180/FUL) was dismissed due its harm to character and appearance of East Park. The applicants have sought to demonstrate through their revisions that these concerns have been addressed.

- 5.4 In terms of the character of East Park the inspector noted that “*East Park has an enclosed and intimate street scape and the buildings have a consistency of height if not form*”. He observed that “*The building would be considerably taller, deeper and wider than the properties in East Park. Thus, the comparative massing of the building when viewed relative to the existing dwellings in East Park would be considerable*”. He commented that the proposed building would be a bulky structure, out of proportion with buildings to the south and west and the vertical balcony detail would accentuate the height.
- 5.5 He considered that the site marked a ‘point of transition’ between the larger scale of existing and proposed buildings to the north and east and the smaller more ‘*human scale*’ of East Park. He considered that the proposed extant planning permission at Overline House to the north of the railway was not justification for such a large scale building which would harm the character of East Park but also stated that the any design response which just related to the character of East Park could not be justified.
- 5.6 The Inspector also considered the application permitted for the site in 2012 commenting that the appeal scheme would improve on elements of the design but the important component was the sense of transition. He commented that the proposed change of materials and set back of the upper floors enabled the 2012 proposal to respond to the scale of East Park in particular, the western section due to its recessed 3rd floor responded sympathetically to the scale of 50 East Park.
- 5.7 He concluded that the appeal scheme while stepped in design did not achieve an appropriate transition in scale as this would be too abrupt and the bulk and height excessive. The proposed palette of materials was also noted as having no local precedent and, the inspector concluded, reinforced the building as a standalone structure rather than integrated with East Park.
- 5.8 In terms of scale, the current application proposes a single block of flats which steps from 3 storeys in height to a maximum of 4 storeys to acknowledge the transition to taller properties to the north and east. It is accepted that the character of existing properties along East Park adjacent to the site are 2 storey with pitched roofs which increase the height of the buildings to a 3 storey height, however, the existing office building on site is a 3 storey flat roofed building. The proposed development while closer to the western boundary with 50 East Park than the current office is designed with a 3 storey element closest to number 50 East Park which steps up to 4 storeys 5 metres along this southern elevation and the upper floor is set back slightly when viewed from East Park.
- 5.9 In terms of materials, the building is now proposed to be primarily in red brick work with terracotta tiling which is considered better reflects the colour palette of the surrounding properties in East Park with light cladding to be used on sections of the upper floor. The vertical balcony detail has been reduced to no higher than 3 storeys in scale but is considered appropriate in this current form as a key feature of the contemporary design of the building. It is considered that the design while modern, better reflects the materials and colour palette of East Park. As well as an enhanced setback in the transition between the second and third floors, the majority of the upper floor is proposed to be finished in a lighter cladding and on the East Park elevation only a relatively short section of brickwork would extend up to the third floor. The extra height of this brickwork is considered appropriate in the context of the building as this is positioned in a location where more visual presence is appropriate for the building to mark the main entrance. It is considered that the design while modern, better reflects the materials and colour palette of East Park.
- 5.10 In relation to the impact of the building on facing residents in East Park, the third floor of the building (with the exception of the brick section above the main entrance) has been stepped back from the floors below which is considered to have reduced the visual prominence of the upper floors when viewed from the south. The building detailing also has a stronger horizontal emphasis at 3 stories which is considered a more ‘*human scale*’ than the proposals previously submitted. It is considered that the scale of the building would be acceptable in the street scene and would not be overly dominant.
- 5.11 The siting of the building on the plot is unchanged from the appeal scheme. The building footprint would retain the mature trees that are established along the site frontage and soften the visual

impact of the current office. The building is set away from number 50 East Park but with a greater set back of the third / top floor. The positioning of the building on the site means that the western elevation is visually prominent when standing in East Park. With the increased set back of the top floor, there is less of this floor visible from street level when standing on the south west corner of the site in East Park and the proposed materials of the upper floor roof design reduces the visual impact. It is considered that the design now reads most strongly as a 3 storey scale property from this elevation (which is similar in its relationship to the current offices).

- 5.12 The current application is 2 storeys shorter than the proposal considered by the appeal Inspector and therefore is considered to have been reduced significantly in bulk and scale. The upper floor of the building is considered to respond more positively to the properties facing it on the southern side of East Park with the partial set back of the floors reducing the visual prominence of the upper clad part of the building. The increased setback between the second and third floors is considered to have better articulated the 'transition' between the scale of properties to the west while responding to the increased scale of development to the east (4 storey Longley House) and north (6 storey Overline House). The overall impact of the prominent western elevation of the building on East Park is considered acceptable in terms of its design approach through the building articulation / detailing and proposed palette of materials. Overall this revised design is considered to comply with the relevant policies in particular CH2 and CH3 of the Local Plan and address the concerns expressed by the appeal Inspector.
- 5.13 In terms of longer distance views, the building would be visible from the railway station, the footbridge over the railway line and Station Way to the north with longer views from between buildings to the east and south. It is considered that the overall design would provide interest when seen from different viewpoints and would read as a transition in scale to taller buildings further north and east. It is not considered that there would be a harmful impact upon the setting of Malthouse Road Conservation Area the boundary for which is 142 m to the south east. The building would not be visually prominent from any long distance views such as Tilgate Park. The proposal will therefore comply with policies CH2, CH3 and CH8 in regard to its impact on the character of the visual amenities of the street scene and the area.

Impact on neighbouring properties;

- 5.14 The main properties that would be impacted upon by this development are 59-73 East Park (the houses immediately to the south facing the site) 50 East Park to the immediate west and 1 Clitherow Gardens to the south-east. The potential development of Overline House granted outline permission under ref. CR/2016/0294/OUT for 9 storey residential development which is extant also needs to be considered. It is also considered that the previously permitted residential development of 59 flats on this site from 2012 is relevant in this case as it was considered to have an acceptable impact on neighbour amenity, although this permission has now expired.
- 5.15 In relation to numbers 59-73 East Park, the houses would be approximately 18m from the front elevation of the development at its closest point across the intervening public road and these houses have ground floor living and 1st floor bedrooms facing the proposed development. It is considered this level of separation would be adequate to retain privacy between the existing properties and future occupiers and this relationship between the properties was considered acceptable when the 2012 application was granted permission (albeit the previous scheme was a floor taller). The private rear gardens are to the south of these houses and are screened from the proposal by the buildings. There would not therefore be a harmful impact on the amenities of these residents to the rear or in terms of privacy of their gardens.
- 5.16 With regard 1 Clitherow Gardens to the south-east, notwithstanding the proposal would be closer to this property and taller at its eastern end, there would still be a distance of 25m between the proposed building and the front elevation of this house. Its rear garden would be screened by both the existing house and retained protected trees. It is not therefore considered there would be a harmful impact in terms of overlooking, loss of outlook or loss of light.
- 5.17 To the west no.50 East Park, has been subdivided into 2 x one bedroom flats with key rooms orientated facing north and south. The proposal would be set back 17m from the side elevation of

this building compared to 8m separation with the 2012 application. The proposed building would be 3 storeys high at its closest point to this neighbour rising to 4 storeys 5m away from its western end. Given the key outlook for the existing flats is at right angles to the proposed development, it is onto considered there are not issues with overlooking between any key facing windows. The impact of the amenities of these occupants is therefore considered acceptable.

- 5.18 With regard to the proposed flats to the north permitted at outline under ref CR/2016/0294/OUT. At the closest point these would be 21m away, and separated from this site by the railway line. The closest of the applicant's balconies would be 26m away, with a side view and the majority of facing units would be approximately 38m away due to the layout of the site. The windows in the closest facing elevation would not serve as primary habitable room windows and could therefore be obscure glazed. Notwithstanding the reserved matters application for this site has not been submitted, it is considered that the proposal would not result in harmful overlooking of this potential development. The proposal could result in the loss of light to some of the flats to the north, but this is not considered to be significant enough to cause harm to the future occupiers given the level of separation between the prospective buildings.
- 5.19 With regard to noise and disturbance during the construction period, a construction management plan would control issues relating to the use of the roads and other regulatory powers would control noise issues and hours of working.
- 5.20 Objections have also been raised as regards increased pollution from vehicles. However as the proposed use for residential purposes would be likely to result in a reduction in vehicle movements when compared to the potential re-use of the existing building as an office, it is not considered that the proposal would result in increased levels of pollution compared to those that could result from the current potential office use of the site.

Adequacy of the accommodation proposed (size, layout and noise issues)

- 5.21 Every proposed apartment meets the nationally described space standards which are set out in policy CH5 and it is considered that each habitable room would have an adequate outlook.
- 5.22 There would be 15.3 m separation distance between windows in the apartments facing Longley House and the office building, it is not considered there would be harmful overlooking from the offices to future occupiers. There is currently adequate separation and outlook for occupiers to the north, however, Overline House has an extant outline permission for redevelopment. Based on the indicative details provided on the outline application, there would be at least 38 metres from the facing windows of these flats to any future occupiers. This level of separation is considered adequate to afford all future occupiers adequate privacy.
- 5.23 It is not considered there would be any adverse impacts with the outlook for future occupiers of apartments facing buildings to the west (50 East Park) or south (nos 65-73 East Park)
- 5.24 While an indicative landscaping plan has been provided it is considered that the defensible space, the privacy afforded to the ground floor flats along with windows facing the station platform and station footpath will need to be carefully designed to ensure privacy and minimise anti-social behaviour. It is considered that these issues can be addressed via details provided in a landscaping condition.
- 5.25 In relation to noise, the Environmental Health department note that the site is subject to elevated noise levels due to the location adjacent to the railway line. However, the noise mitigation measures proposed are acceptable and provided these are implemented the impact from noise would be acceptable for future residents.
- 5.26 Whilst no outdoor amenity space is provided, most flats have access to a balcony. The site is also immediately adjacent to the town centre in a high density urban context. There is easy access to Southgate Park and town centre facilities. In this context it is not considered that the lack of external amenity space provided would be harmful to future residents. It is therefore considered that the development would comply with policies CH3 and CH5 in this regard.

Impact on highways, access and parking

- 5.27 The application site is located just outside the town centre boundary and is considered to be a highly accessible location with Crawley Station located immediately to the north and the town centre just beyond. The site is considered a very sustainable location where future residents would have access to a range of alternative transport options.
- 5.28 Vehicular access to the site is from East Park and surrounding uses are predominantly residential in the immediate vicinity of the site. WSCC Highways have considered the Transport Statement and raise no objection to the development in terms of trip generation and its impact on the highway network.
- 5.29 WSCC has advised that the footway outside of the application site would need resurfacing with the changes to the highway / access that are being proposed. This pavement is beyond the red edge of the application site and these works are required as a direct consequence of the impact of the development on existing infrastructure, it is therefore proposed that this requirement can be included in the Section 106 agreement.
- 5.30 In respect of parking 56 parking spaces are proposed to be provided to serve the development. This equates to one space per apartment and is in accordance with the Council's minimum standards as set out in the Urban Design SPD. WSCC raise no objection to the level of parking being proposed.
- 5.31 It is accepted that parking and local highway conditions remain a concern for local residents. The previous planning application CR/2017/0180/FUL, which was subject to appeal, was refused on grounds of inadequate parking and the effect this could have on the living conditions of nearby residents. This scheme had proposed 75 flats with 48 parking spaces and the operation of a car club (a shortfall of 27 spaces against the adopted standards). The parking arguments were thoroughly scrutinised by the appeal Inspector at the Hearing, who considered the evidence of both the appellant, LPA and local residents. He concluded that the main impact on parking in East Park would be outside the CPZ hours as future residents on the Zurich House site would be ineligible for a resident parking permit. After consideration of the parking surveys and other information, he concluded that the evidence did not indicate that CPD Zone D as whole (which includes East Park) was under parking stress outside CPZ enforcement hours and it would have the capacity to accommodate the entire potential shortfall of 27 parking spaces on-street in the evenings.
- 5.32 Notwithstanding the Inspectors conclusion that the appeal development would be acceptable with a shortfall of 27 parking spaces, this new application meets the adopted parking standard of one space per unit and therefore given the recent appeal decision at which this matter was considered detail, there is no basis to refuse this current application on parking grounds and conflict with living conditions of nearby residents. The proposal is therefore considered to comply with policy IN4 in the LP and the Parking Standards as set out in the Urban Design SPD.
- 5.33 In relation to refuse provision, the design proposes access to the bin store for residents from the front and rear of the building. It is proposed to collect refuse from the flats from the front access onto East Park. The layout has been considered by the refuse and recycling team which has no objection to the design, siting and amount of refuse provision. WSCC highways have also noted this arrangement and raise no objection. Overall, it is considered that the operational requirements for refuse can be adequately met in accordance with policy CH3 in the LP
- 5.34 One hundred and six (106) secure cycle parking spaces are proposed to be integrated into the ground floor of the building. This level of provision is in excess of the adopted standards which sets a requirement of 91 resident and visitor spaces for this development. The proposal therefore accords with policy IN4 and the Urban Design SPD.

Sustainability and sustainable urban Drainage

- 5.35 The applicants have sought to address the requirements of policies ENV6, ENV7 and ENV9 by providing a sustainability and energy statement. This includes a good standard of thermal efficiency for the residential units and aspirations of meeting the water efficiency target of 110 litres/person/day (subject to viability). Further technical work is required as regards the feasibility of making the development “network ready” in the event of the Town Centre District Energy Scheme being delivered and a condition is therefore proposed to ensure that this option is available to the development. Subject to conditions it is therefore considered that the development has adequately addressed the requirements in these policies.
- 5.36 WSCC as Lead Flood Authority have commented on the application, and have no objection to the proposals subject to conditions to ensure the surface water drainage designs meets the requirement for a Sustainable Drainage System (SuDs). This is supported by the CBC Drainage Engineer who also comments that he has no objection to the proposals for dealing with surface water.

Impact on protected trees – proposed landscaping

- 5.37 There are protected trees along the frontage of the site with East Park. The Council’s Arboricultural Officer has commented that there is no objection to the development proposed provided it is undertaken in accordance with the arboricultural method statement (AMS). A condition is therefore recommended to require the trees are protected in accordance with the details in the AMS.

Crime and anti-social behaviour

- 5.38 The development site is adjacent to a footpath which provides access to the southbound railway platform, this area (between the building and footpath) has been identified as a potential area for crime and anti-social behaviour. It is considered that agreement of the landscaping, boundary treatments and lighting for this area can through conditions minimise the opportunities for crime, introduce measures for lighting and surveillance while providing an attractive outlook and setting for the apartments. The proposal can therefore address the requirements of policies CH3 and IN6 of the LP.

Infrastructure contributions (Affordable housing/CIL/and other S106 monies)

- 5.39 Policy H4 requires 40% affordable housing provision on all residential development unless it can be demonstrated that this would not be viable and that there is a proven need for the development. In this case, the applicants have provided a viability appraisal which has been independently scrutinised by Dixon Searle on behalf of Crawley Borough Council.
- 5.40 It has been demonstrated that the development is not viable with a 40% affordable housing provision. The applicants and the Dixon Searle (on behalf of CBC) have agreed that a viable scheme on this site cannot provide a full 40% affordable housing contribution. However, after negotiations with the applicant, it has been agreed that 8 flats (circa 15% of total units) can be made available as shared ownership units and this would be incorporated into any S106 agreement. It should be noted that this level of provision was acceptable to the Planning Committee when considering the previously refused scheme (CR/2017/0180/FUL) for 75 flats which proposed 11 shared ownership units (circa 15% of total units). The current offer is comparable to this 75 unit scheme and is considered acceptable given the reduction in overall unit numbers for the site.
- 5.41 A clause requiring the review of the scheme viability after 18 months is considered appropriate given the changing market conditions and is considered appropriate for inclusion within the Section 106 agreement. Due to the commercially sensitive nature of the viability report, should Members wish to scrutinise this conclusion in further detail, the meeting will need to move to Part B (Exempt item) where the report can be discussed.
- 5.42 Policy IN1 of the LP requires developments to make provision for their on and off site infrastructure needs. The development is CIL liable.
- 5.43 As set out in the Green Infrastructure SPD, trees would need to be provided on site or as payment in lieu (£700 per tree) of this provision. On this basis, a formula for calculating the appropriate

payment will need to be included in the S106 Agreement as the basis for the commuted sum (56 units minus the number of trees to be provided on site x £700). This would give a maximum contribution of £39,200. The site also does not provide open space for future residents. Policy IN1 also specifically applies to open space, parks and play space and as no open space provision is made on site the impacts off-site need to be considered on a site by site basis. Based on the assessed level of occupation of the building the potential contribution towards Open Space is £11,495 (of which £4,950 is allotment provision and £6,545 is for children's play provision).

Other

- 5.44 In terms of infrastructure, Southern Water has confirmed that it can provide a water supply to the site and Thames Water have no objection as regards sewerage infrastructure capacity. A condition is however recommended to control piling on site to ensure existing sewerage infrastructure is not damaged.
- 5.45 Gatwick Airport have no objection to the proposal subject to ensuring a bird hazard management plan is operated. This would be subject to control by condition.
- 5.46 Network Rail have not commented on this application but on the previous application CR/2017/0180/FUL have provided the applicant with extensive guidance in relation to the restrictions they would place on constructing the building, future landscaping etc. and how it would thereafter need to be maintained. This application does not alter the relationship to the railway.
- 5.47 The site has been redeveloped many times in the recent past (C19th onwards), and the Council's Archaeology Officer is therefore satisfied that on balance the archaeological impact is likely to be minimal and therefore has no concerns regarding this proposal.
- 5.48 The site is potentially contaminated and Environmental Health have therefore recommended a condition to identify and remediate any contaminants found on site.

CONCLUSIONS:-

- 6.1 The application site is an allocated deliverable housing site in the adopted LP and therefore the principle of its use residential redevelopment is firmly established. The application proposes 56 dwellings (8 of which would be affordable). All the dwellings meet adopted space standards and most would have a balcony. Appropriate mitigation can be secured to address tree planting and open space infrastructure requirements.
- 6.2 The previous application for 75 units (CR/2017/0180/FUL) which was subject to an appeal is a material consideration. In relation to the on-site parking impacts and notwithstanding that the Council's argument was rejected, the applicants have put forward a proposal which now complies with the adopted parking standards. It is therefore considered that the parking requirements for the development are fully met. The proposal is also considered to adequately meet its other operational requirements for cycle parking and refuse provision.
- 6.3 In terms of design, the proposed development is considered to have addressed the concerns of the appeal Inspector with the proposed building of a scale and design that addresses the 'transition' nature of the site. The building through its palette of materials is considered to better respect the character of East Park and with its stepped design and articulation read as a transition building stepping up in scale 3 to 4 storeys. The building elevations facing East Park are less dominant and prominent and respond better to their surroundings and adjoining neighbours. The building overall is much less prominent in design and is considered acceptable in the street scene.
- 6.4 Overall, this proposal is considered to be fully policy compliant having considered all policies and material considerations. It is therefore recommended that the application is granted planning permission subject to the conclusion of a Section 106 Agreement to secure:
- 8 shared ownership affordable units;

- A viability re-assessment after 18 months in event development has not commenced within 18 months of the date of grant of the planning permission;
- Tree mitigation infrastructure contribution;
- Open Space mitigation contribution; and
- Highway works to secure re- surfacing of footway across the site frontage to provide a consistent appearance paving along site frontage.

6.5 However, in the event that the Section 106 Agreement is not completed by 5th September 2018 and unless there are exceptional reasons for the delay agreed in writing with the applicant, the Head of Economic and Environmental Services be authorised to refuse planning permission for the following reason:

- 1 *An agreement is not in place to ensure that the appropriate infrastructure provisions to support the development. The development is therefore contrary Policies IN1, CH6 and H4 of the Crawley Borough Council Local Plan 2015-2030 and the guidance set out in the Green Infrastructure SPD and Affordable Housing SPD.*

RECOMMENDATION RE: CR/2017/0974/FUL

TO PERMIT subject to the completion of the S106 legal agreement and the conditions below.

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 listed below:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper Planning.
3. No development shall commence unless and until a scheme to deal with the contamination of the land and/or ground water has been submitted to and approved by the Local Planning Authority and until the measures approved in that scheme have been fully implemented. The scheme shall include all the following measures, unless the Local Planning Authority dispenses with any such requirement specifically and in writing:
 - a) A desk-top study carried out by a competent person. The study shall detail the history of the site uses and identify and evaluate all potential sources and impacts of land and/or groundwater contamination relevant to the site. Two full copies of the desk-top study and the non-technical summary shall be submitted to the Local Planning Authority.
 - b) A site investigation shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology BS 10175:2011. The site investigation should fully and effectively characterise the nature and extent of any land and/or groundwater contamination and its implications, including an assessment of risk to any potential receptors. A full report on the findings of the site investigation shall be submitted to the Local Planning Authority.
 - c) A written remediation statement, detailing the works necessary so as to render harmless the identified contamination given the proposed end use of the site and surrounding environment, including any controlled waters, shall be submitted to the Local Planning Authority and agreed in writing with the Local Planning Authority prior to any remediation commencing on site. Two copies of the remediation report shall be submitted to the Local Planning Authority.
 - d) Approved remediation works shall be carried out in full on site, under a quality assured scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the remediation works contamination is encountered that had not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the Local Planning Authority in accordance with the process laid out at points 1 – 3 above.
 - e) Upon completion of the remediation works, this condition shall not be discharged until further validation report has been submitted to, and approved by the Local Planning Authority. The validation report shall include quality assurance certificates to show that the works have been carried out in

accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the validation report together with the necessary documentation detailing what waste materials have been removed from the site. REASON: To safeguard occupiers of the site in accordance with Policy ENV10 of the Crawley Borough Local Plan 2015-2030.

4. 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:
 - the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;
 - the parking of vehicles by site operatives and visitors;
 - the loading and unloading of plant, materials and waste;
 - the storage of plant and materials used in construction of the development;
 - the erection and maintenance of security hoarding;
 - the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);and
 - 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 to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
5. No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges to be retained on the site have been protected by a fence erected around each tree or group of vegetation in accordance with the details in the PJC Consultancy Arboricultural Method Statement(AMS) dated 2nd May 2018. The works to implement the development shall be strictly carried out in accordance with the AMS, and within the areas so fenced off the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25 mm or more shall be left unsevered.
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy CH7 of the Crawley Borough Local Plan 2015 - 2030.
6. Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the flats shall be submitted to and approved in writing by the Local Planning Authority, and the building 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.
7. No works except demolition shall commence until finalised detailed surface water drainage designs and calculations for the site, based on sustainable drainage principles, for the development have been submitted to and approved in writing by the Local Planning Authority. The drainage designs should demonstrate that the surface water runoff generated up to and including the 100 year, plus climate change, critical storm will not exceed the run-off from the current site following the corresponding rainfall event. The surface water drainage shall thereafter be implemented in accordance with the approved details.
REASON: To ensure the protection of groundwater and reduce the risk of flooding in accordance with policies ENV8 and ENV10 of the Crawley Borough Local Plan 2015-2030.
8. No works except demolition shall commence until full details of the maintenance and management of the SUDS system is set out in a site-specific maintenance manual and submitted to, and approved in writing, by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved designs.
REASON: To ensure the protection of groundwater and reduce the risk of flooding in accordance with policies ENV8 and ENV10 of the Crawley Borough Local Plan 2015-2030.

9. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure in accordance with policy IN1 of the Crawley Borough Local Plan 2015-2030.
10. No works on the new building shall commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
- Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.
- The Bird Hazard Management Plan shall be implemented as approved upon completion of the roof and shall remain in force for the life of the building. 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 policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.
11. No works to the new building shall take place unless and until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, hard and soft, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.
REASON: In the interests of amenity and of the environment of the development in accordance with policy CH7 of the Crawley Borough Local Plan 2015 - 2030.
12. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of amenity and of the environment of the development in the accordance with policy CH3 of the Crawley Borough Local Plan 2015 - 2030.
13. No part of the development shall be occupied until a comprehensive hard landscaping scheme including boundary treatments, car park barrier, visitor cycle parking and external lighting have been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall thereafter be implemented and maintained in accordance with the approved details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of visual amenity, security for future residents and for users of adjoining public footpaths in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.
14. No works on the new building shall commence unless and until a schedule and samples of materials and finishes to be used for external walls, balconies, glazing and roofs of the proposed building have been submitted to and approved by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.
15. No construction works on the new building shall be carried out until precise details showing the proposed balcony details and front entrance canopy detail (including a 1:20 Section of the balconies

and canopy) have been submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented strictly in accordance with these details.

REASON: To control the development in detail and to ensure a high quality development in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

16. No works on the new building above foundation level shall commence until a scheme to provide combined television reception facilities and superfast broadband for all dwellings within the development hereby approved have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details prior to first occupation of the development hereby approved.
REASON: In the interests of visual amenity, to help reduce social exclusion and to allow good access to services in accordance with policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.
17. No cables, wires, aerials, pipework (except rainwater downpipes as shown on the approved plans), meter boxes or flues shall be fixed to the elevations of the development hereby approved unless details have been submitted to and approved 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 a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.
18. No works on the new building shall commence on site until details of a scheme to ensure that the development hereby approved is "network ready" for connection to a District Energy Network on construction or at some point after construction have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.
REASON: To ensure the development addresses energy efficiency and climate change and in accordance with Policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.
19. No part of the development shall be occupied until the measures have been implemented in accordance with details that have first been submitted to and been approved in writing by the Local Planning Authority, to achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption. The measures shall thereafter be retained.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with policy ENV9 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change SPD.
20. No part of the development shall be occupied until the vehicular access from the site to the adjoining carriageway has been laid out and constructed and the eastern access stopped up permanently and obliterated in accordance with the approved drawing 051603 - ESH - 02 Rev A.
REASON: In the interests of road safety in accordance with policies CH3 of the Crawley Borough Local Plan 2015-2030.
21. No part of the development shall be occupied until the parking spaces, manoeuvring and turning facilities shown on the submitted plans have been provided and constructed. The areas of land so provided shall not thereafter be used for any purpose other than the parking, manoeuvring and turning of vehicles.
REASON: To ensure that adequate and satisfactory provision is made for the accommodation of vehicles clear of the highways in accordance with policies CH3 and IN4 of the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design SPD.
22. No part of the development shall be occupied until the covered and secure cycle parking spaces shown on the approved drawings have been fully provided and made available for use by residents. The cycle parking provision shall thereafter be retained for that use.
REASON: To encourage sustainable travel options and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030 and the parking standards set out in the Urban Design SPD 2016.

23. No part of the development shall be occupied until the bin storage shown on the approved drawings have been fully provided and made available for use by residents. The bin storage area shall thereafter be retained for that use.
REASON: To ensure the operational requirements of the site can be met in accordance with policy CH3 of the Crawley Borough Local Plan 2015 - 2030 and the parking standards set out in the Urban Design SPD 2016.
24. No part of the development shall be occupied unless and until the pre-occupation elements of the Travel Plan (reference SP/TM 18205-04 dated 17th October) have been fully implemented. The later and ongoing elements of the Travel Plan shall be implemented in full according to the programme contained within the Travel Plan unless otherwise agreed in writing by the Local Planning Authority.
REASON: To encourage and promote sustainable transport and in accordance with policies IN3 and IN4 of the Crawley Borough Local Plan 2015 - 2030.
25. No part of the development shall be occupied until the noise mitigation measures in the Sharps Redmore Environmental Noise Assessment report dated 10 November 2017 have been implemented in full. The noise mitigation measures shall thereafter be retained.
REASON: To ensure the living conditions of future residents are protected from noise in accordance with policy ENV11 of the Crawley borough Local Plan 2015-2030.
26. The windows on the north elevation of the rear wing of the building facing the railway line and Overline House shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening.
REASON: To protect the amenities and privacy of the future occupants of the property and those in the permitted development at Overline House in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVE(S)

1. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
2. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
3. Due to changes in legislation that came in to force on 1st October 2011 regarding the future ownership of sewers it is possible that a sewer now deemed to be public could be crossing the above property. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, the number of properties served, and potential means of access before any further works commence on site. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk.
4. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.
5. Given the nature of the proposed development it is possible that a crane may be required during its 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. Gatwick Airport requires a minimum of four weeks' notice. For crane queries/applications please email gal.safeguarding@gatwickairport.com.

The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from www.aoa.org.uk/policy-campaigns/operations-safety/)

6. The applicant is advised to enter into a legal agreement with West Sussex County Council, as Highway Authority, to cover any 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.
7. The water efficiency standard required under condition 22 is the 'optional requirement' detailed in Building Regulations Part G Approved Document (AD) Building Regulations (2015), at Appendix A paragraph A1.
8. The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:
 - encroach onto Network Rail land affect the safety, operation or integrity of the company's railway and its infrastructure undermine its support zone damage the company's infrastructure
 - place additional load on cuttings
 - adversely affect any railway land or structure over-sail or encroach upon the air-space of any Network Rail land
 - cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future
9. 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 Years' 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.

10. This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development. For more information on CIL and associated forms visit www.crawley.gov.uk/cil, email development.control@crawley.gov.uk or telephone 01293 438644 or 438568. To avoid additional financial penalties the requirements of CIL must be managed before development is commenced and subsequently payment made in accordance with the requirements of the CIL Demand Notice issued. Please also note that any reliefs or exemptions from CIL are subject to the correct procedures being followed as laid down in the regulations, including the following:
 - Where a CIL exemption or relief has to be applied for and granted by the council, it can only be valid where the development in question has not yet commenced at the time when exemption or relief is granted by the council.
 - A person will cease to be eligible for any CIL relief or exemption granted by the council if a Commencement Notice is not submitted to the council before the day on which the development concerned is commenced.
 - Any event occurred during the 'clawback period' for a CIL relief or exemption which causes the relief or exemption to be withdrawn is known as a 'disqualifying event'. When such an event occurs the person benefitting from the relief or exemption must notify the council of the event within 14 days, or a surcharge will become applicable.

1. NPPF Statement

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

- Liaising with consultees/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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