

REFERENCE NO: CR/2018/0128/OUT

LOCATION: [LAND ADJACENT TO 3 CORONET CLOSE, POUND HILL, CRAWLEY](#)
WARD: Pound Hill South and Worth
PROPOSAL: OUTLINE APPLICATION (ACCESS, LAYOUT AND SCALE TO BE DETERMINED WITH APPEARANCE AND LANDSCAPING RESERVED) FOR 2NO. 3 BED SEMI-DETACHED DWELLINGS AND 3NO. 4 BED DETACHED DWELLINGS (AMENDED PLANS RECEIVED).

TARGET DECISION DATE: 23 May 2018

CASE OFFICER: Ms Z. Brown

APPLICANTS NAME: 3242 Investments Ltd
AGENTS NAME: Cogito Consulting Ltd

PLANS & DRAWINGS CONSIDERED:

CBC 001, Tree Constraints Plan
CBC 002, Tree Protection Plan (received 14/08/2018)
459CR01, Level Survey
18045/R/TK03, Swept path analysis large refuse vehicle for residential scheme
L201, Location Plan
SK2.201, Housing Scheme Block Plan
SK2.202, Housing Scheme Site Layout
SK2.203, Housing Scheme Street Scenes

CONSULTEE NOTIFICATIONS & RESPONSES:-

1.	GAL Aerodrome Safeguarding	No objection
2.	WSCC Highways	No objection subject to informative
3.	Thames Water	No response received
4.	Sussex Building Control Partnership	No response received
5.	Natural England	Objection refer to standing advice
6.	CBC Planning Arboricultural Officer	Objection in principle
7.	The Woodland Trust	No response received
8.	CBC Refuse & Recycling Team	No objection
9.	CBC Energy Efficiency & Sustainability	No objection subject to conditions
10.	Ecology Officer	Objection in principle
11.	CBC Countryside & Open Space	Objection in principle
12.	CBC Housing Enabling & Development Manager	No comments received
13.	CBC Environmental Health	Comments
14.	Forestry Commission	Objection refer to standing advice
15.	National Air Traffic Services (NATS)	No objection

NEIGHBOUR NOTIFICATIONS:-

2, 4, 6, 8A, 8B Byerley Way;
1 to 8, and 12 Coronet Close;
10 to 12 Sedgefield Close.

RESPONSES RECEIVED:-

Sixty-four letters of representation were received objecting to the proposal. The main concerns raised were as follows under key themes:

The loss of the woodland:

- The loss of Ancient Woodland which has a historical significance
- The loss of protected trees
- The loss of biodiversity and abundance of wildlife including the White Squirrel, owls and woodpeckers
- Impact on the visual amenity of the site
- Concerns over the validity of the Ecological Report, which states that the proposal does not require the removal of any trees. However, only two days before the survey there were trees on the site.

Impact on highways

- Increased traffic and cars on the road particularly during rush hours which could lead to an increased risk of accidents
- Concerns about whether large vehicles will fit down and be able to turn in Coronet Close

Impact on residents

- Loss of open space for the community and has ruined the character of the residential area
- Increased noise from the motorway due to the loss of trees
- Not enough local facilities for the existing and new residents
- Disruption from construction
- Would represent unnecessary development
- Increased flooding risk due to the removal of the trees
- Will set a precedent for other development on remaining green space.
- Impact on existing residents by virtue of loss of privacy, light and overbearing impact
- The proposed solar panels on the dwellings would require additional trees to be removed
- Impact on the residents of Byerley Way as a footpath will be constructed to the rear of the properties resulting in loss of privacy

Other

- The proposal to sell the land is disingenuous and a bargaining tool
- There is a sewer pipe running through the application site which should be considered
- The site should be replanted
- No landscaping scheme has been provided or information regarding replacement trees
- No details or materials for the finishes of the new dwellings

REASON FOR REPORTING TO COMMITTEE:-

The application has been called in by Councillor Peter Smith.

THE APPLICATION SITE:-

- 1.1 The application site is located to the east of Coronet Close, south of Byerley Way, north of Sedgefield Close and forms part of an area of woodland which borders the M23. The woodland is known as Burleys Wood. The site area is 1988 sqm. The area of woodland in which the site belongs is designated as Ancient Woodland.
- 1.2 It is evident from historic maps (Yeakell and Gream Map, dated 1795), that the application site was part of the historic parkland of Crabbet Park. In the 1960s, the construction of the M23 bisected the site, and much of the woodland to the west of the M23 was then cleared in the 1970s for residential development. Despite the significant clearance of the surrounding area, two areas of Ancient Woodland have remained. This includes the application site with the attached areas of woodland to the east and west and a second parcel of woodland located to the south-west owned by Crawley Borough Council.
- 1.3 The site is designated within the Local Plan as Structural Landscaping (Policy CH7). There is a narrow site entrance at the north-west corner for pedestrians between Nos. 2 Byerley Way and 1 Coronet Close. There are also informal networks of footpaths linking the site to the wider area of woodland to the west. There is currently no formal vehicular access to the site, and there are no public rights of way within the site.
- 1.4 The site is surrounded on its northern, western and southern sides by residential properties. The properties on Byerley Way to the north and Sedgefield Close to the south are predominantly detached, and those on Coronet Close are a mixture of semi-detached and detached properties. The site lies approximately 240m to the west of the M23 motorway, with an area of woodland and open space between the site and the motorway, a contrast to residential properties on The Canter and Sedgefield Close which are located significantly closer to the motorway.
- 1.5 On the 13th February 2018, the site was almost entirely cleared of trees and vegetation. The site now contains two large piles of felled trees and regenerating woodland.
- 1.6 The site has a number of designations and constraints:
 - The site is formally designated as Semi-Natural Ancient Woodland. The site was formally recognised in 2000, and is designated in 'A revision of the Ancient Woodland Inventory for West Sussex (January 2010). Subsequently the site was identified as Ancient Woodland in the Crawley Borough Local Plan (2015-2030) (Policy ENV2)
 - Structural Landscaping (Policy CH7) of the Crawley Borough Local Plan (2015-2030)
 - The site is within the Built Up Area Boundary (Policy SD1)
 - The site is close to a Landscape Character Area: Tilgate/Worth Forest Rural Fringe (Policy CH9)
 - Gatwick Safeguarding Zone requiring Gatwick Airport Safeguarding and NATS to be consulted on proposal for the erection of more than three new dwellings
 - There is one individual Tree Preservation Order on site, and a wider Tree Preservation Order area has been confirmed for the whole application site (PES 300 02/2018).

THE PROPOSED DEVELOPMENT:-

- 2.1 The application is for outline planning permission for the erection of 2no. 3 bedroom semi-detached dwellings and 3no. 4 bedroom detached dwellings. As the application is for Outline Planning Permission, the applicant requests that only access, layout and scale are assessed and all other matters are to be considered at the Reserved Matters stage.
- 2.2 A location plan, block plan, an indicative site layout plan and indicative streetscene have been submitted which illustrate the proposed layout, site access and indicative elevations of the proposed dwellings.
- 2.3 In support of the application, the applicant has submitted:
- Arboricultural assessment; including a Tree Constraints Plan and Tree Protection Plan
 - Addendum arboricultural report (regarding Ancient Woodland)
 - Affordable Housing Statement (Rev 1) 10/08/2018
 - Design and Access Statement (Rev 2) 10/08/2018
 - Ecological Assessment dated 6th March 2018
 - Flood Planning Map
 - Housing Space Standards table
 - Investigation report into Historic file relevant to the status of woodland at Coronet Close, Crawley July 2018.
 - Management Proposals 10th August 2018
 - Open Space Statement (Rev 1) 10/08/2018
 - Planning Statement Rev 05/04/2018
 - Sustainability Statement 05/04/2018
 - Topographic Survey
 - Transport Statement Rev A March 2018

PLANNING HISTORY:-

- 3.1 The most relevant planning history is as follows:

CR/2018/0242/OUT – OUTLINE APPLICATION (ACCESS, LAYOUT AND SCALE) FOR A CHILDREN'S DAY NURSERY (USE CLASS D1) (AMENDED PLANS RECEIVED). **UNDER CONSIDERATION**

This application proposes alternative development within the current application site and is reported elsewhere on this committee agenda.

02/2018 – TREE PRESERVATION ORDER LAND PARCEL ADJ TO CORONET CLOSE, POUND HILL. **CONFIRMED 30TH JULY 2018**

This is a group TPO covering the entire application site

CR/2000/0358/FUL – ERECTION OF 24 TWO STOREY DWELLINGS

The applicant withdrew this application as objections to the principle of the development on the site for a residential scheme were raised by Natural England and the Forest Commission. It was stated in letters dated 31st November 2000 from the Forestry Commission Woodland Officer and a letter dated 26th October 2000 from English Nature that the site was designated as Ancient Woodland.

- 3.2 An Enforcement complaint was received on 13th February 2018 from residents in the local area alerting the Council that the trees within Burleys Wood had been felled. Following a site visit by the Arboricultural and Enforcement Officers at approximately 11:00 a.m. a woodland TPO was served on the site.

- 3.3 The Forestry Commission was informed of the tree felling and have undertaken its own investigations. It was established that the trees were felled on the land without a felling license being obtained under the provisions of the Forestry Act 1967. A restocking notice was subsequently served on 25/07/2018. This requires that before 30th June 2019 the felled area must be restocked with broadleaf species to achieve no less than 1,600 equally spaced stems per hectare. This equates to 240 trees at this site. The trees must not be planted closer than 7 metres to the boundary of any residential property.
- 3.4 Several planning applications have been submitted in the surrounding area which make reference to the application site. The most relevant are:

Land off Byerley Way, Pound Hill (Now known as Coronet Close)

CR/290/86 – Erection of 12 houses. Permitted.

Within this 1986 application, the current application site is identified outside of the application site for a school. However correspondence between the Planning Officer and agent state that there are no approved plans and a school scheme may never be carried out.

Site 4, Crabbet Park, Pound hill

WP/36/81 – Erection of 70 homes with garages. Permitted.

Phase 4, Crabbet Park, Pound Hill Crawley

WP/123/79 – Erection of 151 Houses with associated estate roads and sewers. Permitted.

Crabbet Park, Pound Hill

WP/98/75 – Approval to details reserved in conditions 8 and 9 of WP/55/74. Permitted.

This application highlights sites for community use.

Crabbet park, Bounded by the A264, B2036/A264, Turners Hill Road and the M23, Pound Hill

WP/55/74 – Outline application for erection of one, two and three storey houses at average density of 10 dwellings/acre together with estate roads and sewers, primary school and public open space provision. Permitted.

Within this application drawings identify the current application site as a potential location for a school. It is of note that planning permission was not granted for a school on this site, and a condition was attached (Condition 13) that “no residential development shall be permitted on an area of 2.5 acres which shall be made available for a 2 form entry primary school in such a location shall have been approved by the Local Planning Authority.

There have been no subsequent reserved matters or full applications submitted for the proposed school and this element of the proposal has therefore expired. The identification of the site as potentially suitable for a school in 1974 is no longer valid and there has never been a planning permission for such development.

PLANNING POLICY:-

4.1 National Planning Policy Framework (2018):

The National Planning Policy Framework (NPPF) published in 2018 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

- Section 2 – Sustainable Development – This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective- to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
- Section 5 – Delivering a sufficient supply of homes. To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- Section 8 – Promoting healthy and safe communities – this section discusses the importance of achieving healthy, inclusive and safe places which promote social interaction, are safe and accessible and support healthy lifestyles.
 - Paragraph 96 states that access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Existing open space should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings, or land to be surplus to requirements. The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality.
- Section 9 – Promoting sustainable transport – this section states that opportunities to promote walking, cycling and public transport use should be pursued.
- Section 11 – Making effective use of land – this section promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use of possible of previously-developed or ‘brownfield’ land.
 - Paragraph 118 (b) states that planning decisions should recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production.
- Section 12 – Achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- Section 15 – Conserving and enhancing the natural environment. Planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing sites of biodiversity value and soils.
 - Paragraph 175 states that to protect and enhance biodiversity when determining applications local planning authorities should apply the following principles:
 - a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated or as a last resort compensated for then planning permission should be refused.
 - c) development resulting in the loss or deterioration of irreplaceable habitats (such as Ancient Woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists. For example exceptional reasons would include infrastructure projects where the public benefit would clearly outweigh the loss or deterioration of habitat.

4.2 Crawley Borough Local Plan 2015-2030 (Adopted December 2015):

- Policy SD1 (Presumption in Favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles) States that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features. Higher density development may be compatible with existing neighbourhood structure.
- Policy CH2 (Principles of Good Urban Design) States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- Policy CH3 (Normal Requirements of All Development) states all proposals for development in Crawley will be required to make a positive contribution to the area; be of a high quality design, provide and retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet its own operational requirements necessary for the safe and proper use of the site. Proposals should comply with internal standards for new dwellings as set out in policy CH5. Retain individual groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens that would not be overshadowed by tree canopies; and proposals should ensure that rooms within buildings would receive adequate daylight.
- Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents, and sets out minimum standards.
- Policy CH6 (Tree Planting and Replacement Standards) states that landscape proposals for residential development should contribute to the character and appearance of the town by including at least one new tree for each new dwelling, of an appropriate species and planted in an appropriate

location. Where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced in order to mitigate for the visual impact resulting from the loss of the tree canopies.

- Policy CH7 (Structural Landscaping) states that areas of soft landscaping that make an important contribution to the town and its neighbourhoods, in terms of character and appearance, structure, screening or softening, have been identified on the Local Plan Map. Development that affects this role should demonstrate the visual impact of the proposals and should protect and/or enhance structural landscaping where appropriate.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) 40% affordable housing will be required from all residential developments. The council will expect a minimum of 70% of the affordable housing to be Affordable Rent or Social rent where other forms of subsidy exist, and up to 30% intermediate rent. For sites of 5 dwellings or less or sites less than 0.2ha in size, a commuted sum towards off-site affordable housing provision will be sought.
- Policy ENV1 (Green Infrastructure) Crawley's multi-functional green infrastructure network will be conserved and enhanced through the following measures. Development which protects and enhances green infrastructure will be supported. Development proposals should take a positive approach to designing green infrastructure utilising the Council's supplementary planning documents to integrate and enhance the green infrastructure network. Proposals which reduce, block or harm the functions of green infrastructure will be required to be adequately justified, and mitigate against any loss or impact or, as a last resort, compensate to ensure the integrity of the green infrastructure network is maintained.
- Policy ENV2 (Biodiversity) 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. Planning permission will not be granted for development that results in the loss or deterioration of Ancient Woodland unless the need for and benefits of, the development in that location clearly outweigh the loss. A buffer zone between the development and Ancient Woodland would be required in line with Natural England Standing Advice. Proposals which would result in significant harm to biodiversity will be refused unless this can be avoided by locating on an alternative site with less harmful impact or the harm can be adequately mitigated or at last resort compensated for.
- Policy ENV4 (Open Space, Sport and Recreation) Proposals that remove or affect the continued use of existing open space will not be permitted unless an assessment of the needs for open space clearly show the site to be a surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location
- Policy ENV5 (Provision of Open Space and Recreational Facilities) The impact of the increased population from residential development on open space and recreational facilities across the borough will be mitigated by the use of the Community Infrastructure Levy which will be used to

enhance existing areas of open space. This Policy requires development to make provision for open space and recreational facilities.

- Policy ENV6 (Sustainable Design and Construction) in order to maximise carbon efficiency, all homes will be required to meet the strengthened on-site energy performance standards of Building Regulations and demonstrate carbon saving and water efficiency measures.
- 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) requires all new dwellings to achieve the new 'optional' water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.
- Policy ENV11 (Development and Noise) People's quality of life will be protected from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Noise sensitive uses proposed in areas that are exposed to significant noise from existing or future industrial, commercial or transport (air, road, rail and mixed) sources will be permitted where it can be demonstrated that appropriate mitigation, through careful planning, layout and design, will be undertaken to ensure that the noise impact for future users will be made acceptable.
- Policy IN1 (Infrastructure Provision) Development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.
- Policy IN2 (Strategic Delivery of Telecommunications Infrastructure) requires high quality communications infrastructure to each residential unit.
- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is being assessed against the borough council's car and cycle parking standards.

4.3 Supplementary Planning Documents

The Supplementary Planning Documents are non-statutory documents which supplement the policies of the Local Plan. Those applicable to this application are:

Urban Design SPD 2016:

The SPD includes further design guidance and examples on residential development and sets out further guidance on minimum rear window to window distances (21 metres for two storeys) and outdoor amenity space standards: for a dwelling for 5 or 6 occupants the external private amenity space standards are 90 sqm, an additional 5sqm is required for each additional occupant.

It also includes the Crawley Borough Parking Standards which are minimum standards based on likely demand in terms of car ownership, taking into account the accessibility of the area by modes of transport other than the car. The minimum standards are 2-3 spaces for 3+ bed dwellings. Regarding cycle parking it is stated that: 'All cycle parking must be sheltered and secure and in accordance with local guidance and best practice design. For 3-4 bed dwellings 2 spaces are required per dwelling, and 1 space per 8 dwellings for visitors will be required.

Green Infrastructure SPD 2016:

This SPD provides clear guidance on how to meet the requirements of Local Plan Policies in relation to Crawley's Green Infrastructure assets. It provides further guidance on Policy CH6: Tree Planting and Replacement Standards, Ancient Woodland sites within Crawley and Structural Landscaping (Policy CH7)

Planning and Climate Change SPD 2016:

This SPD includes further guidance on sustainability policies within the Local Plan (Policies ENV6, ENV7, ENV8, ENV9 and IN3).

Affordable Housing SPD 2017

The Council has recently adopted the Supplementary Planning Document which provides guidance, examples of good practice and the expectations of the Council in relation to the interpretation of the Local Plan policy requirements for the provision of affordable housing (Policies H3 and H4).

Crawley Community Infrastructure Levy Charging Schedule 2016

The Crawley CIL Charging Schedule is in effect from 17th of August 2016 and is also relevant to this application. It is applicable to all development which either creates 100 sqm or more of new build floor space or which creates new dwellings of any size. The charges include a 'zero' charge for anything other than residential or retail development.

PLANNING CONSIDERATIONS:-

The main considerations in the determination of this application are:

- The principle of the loss of Ancient Woodland and Structural Landscaping
- The principle of the loss of Open Space
- The principle of the development of the site for residential use.
- The layout, design and appearance of the proposal and its impact on visual amenity
- Impact upon neighbouring residential amenity
- The adequacy of accommodation and amenity space for future occupiers
- Impact on highways and parking provision
- Impact of noise
- Impact of drainage and increased flood risk
- Sustainability
- Provision of infrastructure contributions

The principle of the loss of Ancient Woodland and Structural Landscaping

- 5.1 One of the key planning considerations in the determination of this application is the loss of Ancient Woodland and Structural Landscaping.
- 5.2 Natural England and the Forestry Commission define Ancient Woodland as an area that has been wooded continuously since at least 1600 AD. Ancient Woodland is divided into ancient semi-natural woodland and plantations on Ancient Woodland sites. Both types of stand are classed as Ancient woods.'
- 5.3 This definition is also reaffirmed in the recently published NPPF (2018) which describes Ancient Woodlands as "an area that has been wooded continuously since at least 1600 AD. It includes Ancient Semi-Natural Woodland and plantations of Ancient Woodland sites (PAWS)."

- 5.4 The Natural England inventory identifies Ancient Woodland sites in England and was initially compiled in the 1980s. It is an evidence-based tool for the conservation of Ancient Woodland. The inventory for West Sussex was first produced in 1984, and a new inventory revision began in 2004 expanding across the South-East region. The application site is identified within the Revision of Ancient Woodland Inventory for West Sussex (2010) as a Semi-natural Ancient Woodland. The trees and shrubs in a Semi-Natural Ancient Woodland may have been felled or cut for coppice at various times since 1600 but, as long as the area has remained as woodland, then it still qualifies for the designation.
- 5.5 Historical mapping shows that the site has been wooded since at least the late 18th Century, when it formed part of the Crabbet Park Estate. Likewise historic aerial images also show that the site as entirely wooded in 1947. The application site was partially cleared during the late 1960's and early 1970's when the residential estate was being built, with some vegetation/trees remaining along the eastern and southern sides of the site. However no development of the site took place, and trees quickly re-established on the site. As a result, by 1981, the application site was entirely covered in trees and wooded again, until the recent clearance of the site in February 2018.
- 5.6 The Forestry Commission within their Standing Advice states that the trees within a Semi-Natural Ancient Woodland may have been felled at various times since the 1600s, however they would still remain Ancient Woodland up until the soils have been removed or significantly changed in content. Similarly wooded continuously does not mean there has been continuous tree cover across the whole site. Not all trees in the woodland need to be old, as open space (both temporary and permanent) are important components of Ancient Woodland. The Natural England and Forestry Commission Standing Advice confirms that the existing condition of the Ancient Woodland (if this is poor) should not be taken as a factor in favour of the development proposal, as its condition can often be improved with good management proposals.
- 5.7 The Council's Ecology Consultant has confirmed that the soils, associated organisms, seeds and bulbs are a critical part of the Ancient Woodland, and even where there has been felling of trees and disturbance of soils, regeneration is still possible. As highlighted above the site was partly cleared in the late 1960s/early 1970s, however trees quickly re-established on the site. Likewise, since the clearance of the site in February 2018, saplings have grown significantly from seeds within the ancient soil, and the felled stumps. The site still has significant ecological value and it should be reaffirmed that despite the site being cleared prior to the planning application being submitted, the value of the Ancient Woodland remains a critical factor in the decision making process.
- 5.8 Policy ENV2 is the primary Local Plan Policy in determining whether the principle of development should be considered favourably on an Ancient Woodland site. It clearly 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. To ensure a net gain in biodiversity, Ancient Woodland sites will be conserved and enhanced where possible and the council will support their designation and management. Notably, permission will not be granted for development that results in the loss or deterioration of Ancient Woodland unless the need for and benefits of the development in that location clearly outweigh the loss.
- 5.9 Policy SD1 states that in accordance with the presumption in favour of sustainable development, development will be supported where it meets the strategic objectives, including that which protects, enhances and creates opportunities for Crawley's unique Green Infrastructure. As highlighted above Paragraph 3.4 of the Crawley Borough Local Plan confirms that Ancient Woodland areas are some of the sites with the strongest weight against development.

- 5.10 In addition to Policy ENV2, the recently published revised NPPF (2018) has increased the weight afforded to the protection of Ancient Woodland. It is now included in the definition of an irreplaceable habitat (those which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed). In addition Paragraph 175 (c) confirms that development resulting in the loss or deterioration of these habitats, and which explicitly refers to Ancient Woodland, should be refused unless there are wholly exceptional reasons for development. Stated examples of this include nationally significant infrastructure projects, and a suitable compensation strategy exists.
- 5.11 Strong objections to the development of the site have been received from the Forestry Commission, Natural England, the Council's Ecological Consultant and the Council's Arboricultural Officer, as the clearing of the site has resulted in the significant loss of flora and detrimentally impacted the complex community of fauna, fungi and other micro-organisms
- 5.12 The Ecological Report submitted as part of the application suggests that the classification of the site as Ancient Woodland is inaccurate. The Ecological Survey completed on 16th February 2018 states that the site had recently been cleared and as such was dominated by bare ground, therefore only a few plant species remained and the remaining stumps and felled timber were of limited age. Likewise the Tree Report (dated 26th March 2018) identified that two trees and two groups of trees were present when the tree survey was carried out on 5th March 2018, and that the trees on site were all immature or semi-mature specimens. Although the Addendum Arboricultural Report and Investigation in to Historic Files (July 2018) discusses the designation of the site as Ancient Woodland, any challenge to the site's designation is not part of the consideration of this planning application. As highlighted to the agent on 15th May 2018, if the applicant or agent wishes to challenge the Burleys Wood designation then they would need to provide evidence to support their position directly to Natural England.
- 5.13 It has been highlighted by the Ecological Officer that the site may well have supported legally protected species or those that are otherwise of conservation concern. A video submitted as part of a neighbour representation (footage recorded 15/7/2018 and 17/8/2018 from the rear garden of No. 1 Sedgefield Close) shows bats flying over the site. Given that the Ecological Survey conducted by AAe Environmental Consultants was undertaken on 16th February 2018 after the site had been cleared, it is not considered that sufficient information has been submitted to substantiate the conclusion of the Ecological Report dated 6th March 2018 that there was no evidence of protected species.
- 5.14 There are major concerns with the accuracy and thoroughness of the submitted Arboricultural Report. The survey was carried out on the 5th March 2018 after the site had been cleared on 13th February 2018. The report concluded that the proposal does not require the removal of any trees, and no pruning work is required to facilitate the proposed development. It should be noted that the Ancient Woodland had already been cleared prior to this date, therefore trees were felled to facilitate the proposed development. The Forestry Commission has identified that a felling license was required and on 25th July 2018 issued a restocking notice for the site.
- 5.15 The Natural England and Forestry Commission refer to the 'Standing Advice for Ancient Woodland and Trees,' which states that "as Ancient Woodland and veteran trees are irreplaceable, discussion of compensation should not form part of the assessment of the merits of the development proposal". The information submitted alongside the application within the 'Management Proposal' states that it is intended to protect and enhance the remaining woodland to the east of the proposed development site by improving its wildlife, amenity and recreational value. The applicant has also indicated its intension to carry out significant work to the woodland to improve its condition which would include constructing new footpaths through the woodland to the east to better serve the

surrounding residents, and replanting trees in the remaining area of woodland. Although this could be an amenity benefit for local residents, it does not mitigate the ecological loss of Ancient Woodland, and is not considered to be an exceptional reason for developing the site, given its national designation and ecological value as an important natural habitat.

- 5.16 Local Plan Policy CH6 aims to ensure that all felled trees are replaced and additional trees are planted for each new dwelling. Given the comments received from our Ecological Officer, Arboriculturalist, Natural England and the Forestry Commission, the proposed management scheme would not mitigate the felling of the many trees on the application site. It is considered that the restoration of the applicant site as woodland would be the only suitable remedy given the importance of the site and scale of the recent felling.
- 5.17 The Natural England and Forestry Commission Standing Advice also requires any development close to Ancient Woodland to include a minimum 15m buffer zone of semi-natural habitat between the development and Ancient Woodland, as well as connecting woodland that would be separated by development with green bridges or tunnels. Although Officers do not accept the loss of Ancient Woodland on site, even if the loss of Ancient Woodland was acceptable, an appropriate buffer zone has not been included from the remaining area of Ancient Woodland to the east or the south-west. Such a buffer zones would significantly reduce the width of the site if provided.
- 5.18 The application site also makes a significant contribution to the amenity of the local area, and is still an important green space within the neighbourhood of Pound Hill. It is an important space for flora and fauna, and a natural barrier to the M23 motorway to the east. This is formally recognised within the Local Plan as the site is designated as Structural Landscaping, therefore Policy CH7 applies.
- 5.19 This policy confirms that development proposals that affect the site's role in contributing to the character, appearance, structure, screening or softening of the town and neighbourhood should demonstrate the visual impact of the proposal and should protect and/or enhance the structural landscaping. As this is an Outline Application, information has not been submitted in regards to landscaping, beyond the suggestion in the Design and Access Statement that "the general intention...to protect, retain and enhance the adjoining woodland to provide an attractive setting for new development" and that "small scale informal planting will be provided to each of the individual plots". The site has recently been cleared which has significantly changed the character and visual appearance of the site in the short term. This has harmed the Structural Landscaping, and it is not considered from the information submitted that the proposal would protect and/or enhance the Structural Landscaping. The loss of this substantial area of Structural Landscaping has not been justified, and the development of the site would result in the loss of an important recovering landscape feature and green space within the dense residential estate.
- 5.20 Until early 2018 the application site was a significant undeveloped tree covered area which provided a landscaped backdrop to the nearby residential estate. The Arboricultural Officer raises an objection in principle to the development of the site, highlighting the amenity value of the site and its historic significance as an area of Ancient Woodland. The importance of the woodland and the amenity provided has been confirmed in the recent Tree Protection Order which covers the application site (02/2018). Similarly concerns were raised by neighbours in regards to the significant loss of trees and the impact on the amenity of the area. The trees on the site were visible from the nearby roads and the most mature specimens above the top of the nearby houses. The loss of the trees on the site has detrimentally impacted the visual amenity of the surrounding area. The substantial value attributed to the site by local residents and their concerns about the proposal should be given significant weight in determining this application.

5.21 Overall the site is not deemed to be suitable for any form of development as it would result in the loss of an important Ancient Woodland and an area of Structural Landscaping. The site is an important Ancient Woodland with a significant biodiversity and ecological value and it is not considered that there are wholly exceptional reasons for developing the site. Development would result in the loss of a very important natural habitat and would be contrary to Local Plan Policies SD1, CH2, CH3, CH6 CH7, ENV1, ENV2 and the National Planning Policy Framework (2018).

The principle of the loss of open space

5.22 The application site is also an important open space within the dense residential area of Pound Hill. Policies ENV1 and ENV4 relate to the consideration of principle development on the site and the loss of open space. Policy ENV1 states that Crawley's multi-functional green infrastructure network will be conserved and enhanced, and proposals which reduce, block or harm the functions of green infrastructure will be required to be adequately justified and mitigate against any loss of impact, or as a last resort compensate, to ensure the integrity of the green infrastructure network is maintained. Policy ENV4 confirms that proposals that remove existing open space will not be permitted unless the Open Space Assessment clearly shows the site to be surplus to requirements, or the loss will be replaced with equivalent or better provision, in terms of quantity and quality in a suitable location, or the development is for alternative sports and recreation (where the needs for which clearly outweigh the loss).

5.23 The proposal includes maintaining open access to the area of woodland to the east which is owned by the applicant, in order to better serve the surrounding residents (Planning Statement Rev and Management Proposals Report).

5.24 The Crawley Open Space, Sport and Recreation Study (2014) prepared to support the Local Plan preparation and examination confirms that by 2030 Pound Hill neighbourhood will be deficient against all of the open space typology standards, including 'Natural Green Space'. It is noted that the application site and the adjacent area of woodland (which are both under the same ownership by the applicant) were included in this study. The 2014 study recommends that any proposed development within the neighbourhood should provide new open space in line with the recommended standards as part of the development proposals. Given the deficiency of open space in Pound Hill, it is considered that development of the site would worsen the situation in relation to the quantity open space. Likewise while public access and long term management and maintenance for the purposes of recreation and biodiversity would be welcomed, it would not offset the loss of an irreplaceable Ancient Woodland site and important open space.

5.25 This issue has also been highlighted within comments received from neighbours during the consultation period, whereby the loss of green space would detrimentally impact the health and wellbeing of the community, and would adversely impact the character of the area.

5.26 Overall it is considered that the proposal would involve the loss of an important open space in an area which is expected to be deficient of such space by 2030. The proposed development of the site would adversely affect the amenity enjoyed by local residents and the character of the area, contrary to Policies CH3, ENV1, and ENV4 of the Crawley Borough Local Plan (2015-2030), and the National Planning Policy Framework (2018).

The principle of the development of the site for residential use.

5.27 The proposal would seek to provide 5no. residential dwellings and associated parking and access road.

5.28 In regards to the principle of the development of the site for residential use, the NPPF (2018) objectives seek to promote and encourage residential development on appropriate sites. However Paragraph 175 (c) of the NPPF (2018) strongly affirms that:

Development resulting in the loss or deterioration of irreplaceable habitats (such as Ancient Woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensatory strategy exists.

5.29 Policy ENV2 of the Crawley Borough Local Plan confirms that permission will not be granted for development that results in the loss or deterioration of Ancient Woodland, unless the need for and benefits, of the development in that location clearly outweigh the loss. When considering whether the need for, and benefits of, the proposal for housing development clearly outweighs the loss of the Ancient Woodland, Policy H1 of the Crawley Borough Local Plan is applicable. Although the Borough has acknowledged a supply-constrained position against a high objectively assessed housing need, the policy confirms that the Council will positively consider proposals for the provision of housing to meet local needs. However, this will not be at the expense of town-cramming or unacceptable impact on the planned character of existing neighbourhoods or on residential amenity, and opportunities will only be considered where it would be consistent with the other policies in the Local Plan and the principle of sustainable development.

5.30 The Forward Planning Officer has highlighted that Policy H1 provides a minimum delivery figure of 5,100 dwellings to be provided within the Borough over the Plan period. Annual monitoring (AMR 2016-2017) is currently indicating that the Borough is on track to meet this level of delivery and, as a result, the Borough cannot be said to have an immediate unmet housing need, which could justify the use of the NPPF's presumption in favour of sustainable development or suggest that there are wholly exceptional reasons which outweigh the loss of the Ancient Woodland.

5.31 Although outline planning permission was granted in 1974 for the Crabbet Estate (WP/55/74) which identified the site as a possible strategic location for a primary school, a condition was attached, stating "no residential development shall be permitted on an area of 2.5 acres which shall be made available for a 2 form entry primary school in such a location shall have been approved by the Local Planning Authority." No such development has taken place, and there have been no subsequent Reserved Matters or planning applications submitted or approved covering the application site and there is no extant planning permission to develop it. As a result the identification of the site as potentially suitable in 1974 is no longer relevant, particularly as the site has since been formally designated as Ancient Woodland in 2010 and designated as Structural Landscaping in the Crawley Borough Local Plan (2015-2030). The claim therefore from the applicant that the site is previously developed land is totally unsubstantiated and Officers consider this to be a greenfield site.

5.32 Overall it is considered that the principle of residential development on the application site is totally unacceptable. The site is not allocated for development within the Crawley Local Plan, is not included within the Housing Trajectory and is not identified as suitable for housing through the Strategic Housing Land Availability Assessment. The Council can demonstrate a five year housing supply and the development of the site would result in the loss of a valuable area of Ancient Woodland contrary to Local and National Policies, including Policy SD1, CH1, CH2, CH3, and H1 of the Crawley Borough Local Plan (2015-2030) and Paragraph 175 (c) of the National Planning Policy Framework (2018)

The layout, design and appearance of the proposal and its impact on visual amenity

5.33 The application site is located to the east of No. 2, 3 and 4 Coronet Close, south of Nos 2, 4 and 6 Byerley Way and north of 11 Sedgfield. The surrounding area contains medium density residential

development, characterised by a range of modest detached, semi-detached and terraced dwellings. The properties along the southern side of Coronet Close are semi-detached, with detached properties to the north and north-west on Sedgefield Close and Byerley Way.

- 5.34 The proposal includes 2no. 3 bedroom semi-detached dwellings and 3no. 4 bedroom detached dwellings. Two semi-detached dwellings and one detached dwelling would be located on the southern side of the site, and the remaining two detached properties would be located on the northern side. It is proposed that the access road would run through the middle of the site extending from Coronet Close. The proposed dwellings would be located approximately 4m from the eastern side boundary of the site which adjoins the woodland to the east.
- 5.35 Coronet Close has a strong front building line. The semi-detached dwellings on the southern side of the site would follow this established line, with their front elevations broadly in line with No. 3 Coronet Close. The dwellings on the northern side of the site would be set back approximately 4m from the southern side elevation of No. 2 Coronet Close.
- 5.36 Policy CH2 (Principles of Good Urban Design) of the Crawley Borough Local Plan (2015-2030) states that all development proposals should respond to and reinforce local distinctive patterns of development and landscape character. Policy CH3 (Normal Requirements of All New Development) of the Crawley Borough Local Plan (2015-2030) requests that all proposals for development in Crawley will be required to make a positive contribution to the area, be of a high quality design and should relate sympathetically to their surroundings in terms of scale, density and layout. They should also retain a good standard of amenity for all nearby and future occupants of land and buildings and be able to meet their own operational requirements necessary for the safe and proper use of the site.
- 5.37 The detached dwellings would have footprints of 85/86sqm. According to the illustrative scheme, they would feature a single storey front projection with a pitched roof. Each property would have two parking spaces in the front driveway area and one space down the side of the property. There would be a gap of 3m between plots 1 and 2, and a gap of 3m between Plots 3 and 4.
- 5.38 The semi-detached dwellings would have footprints of 108m. From the indicative street layout, they would be brick built, with pitched roofs and pitched roof canopies over the main entrances. They would be a similar size to the existing semi-detached dwellings on Coronet Close.
- 5.39 Although Officers do not accept the loss of Ancient Woodland on site, the Natural England and Forestry Commission Standing advice states a minimum 15m buffer zone should be included to act as a semi-natural habitat between the development and the Ancient Woodland. Even if the loss of Ancient Woodland was considered acceptable on the site, the required buffer zone has not been shown in the proposed layout. If provided it would reduce the developable area of the site by almost half, resulting in Plots 2 and 3 being undevelopable.
- 5.40 Overall, despite the design and scale of the proposed dwellings being acceptable, the proposed layout would detrimentally change the character of the site, resulting in there being on a gap of 4m between the proposed dwellings and the woodland to the east, with no buffer zone being provided. It is therefore considered to be contrary to Local Plan Policies CH2, CH3 and ENV2, the Natural England and Forestry Commission Standing advice, and relevant paragraphs of the NPPF (2018).

Impact upon neighbouring residential amenity

- 5.41 In terms of impact on neighbour amenity, Nos. 1, 2 and Coronet Close, Nos. 2, 4 and 6 Byerley Way and No. 11 Sedgefield are the residential properties most affected as they adjoin the application site.
- 5.42 In regards to the impact of Plot 1 on the neighbouring properties, there would be a gap of 1m between the eastern boundary and the proposed dwelling, 9m between the rear elevation and northern boundary and 4.7m between the proposed dwelling and western boundary. The Urban Design SPD states that there should be a gap of at least 10.5m between a blank gable and the rear of an adjacent dwelling to prevent cramping. As proposed there would be a gap of approximately 10m between Plot 1 and No. 1 Coronet Close and a gap of 12m between Plot 1 and No. 2 Coronet Close. It is considered that the proposed dwelling would have an overbearing impact on the rear gardens of Nos. 1 and 2, which would detrimentally impact the amenity enjoyed by the occupants of Nos 1 and 2.
- 5.43 The Urban Design SPD states that a gap of at least 21 metres should be retained between two storey houses and the rear windows of an opposing dwelling. In regards to No. 2 Byerley Way located to the north of Plot 1, the gap would only measure 15.5m between No. 2 and Plot 1. As a result the proposed dwelling would cause some overlooking and loss of privacy on the amenity enjoyed by the occupants of No. 2 Byerley Way.
- 5.44 In terms of the impact of Plot 2 on No. 4 and 6 Byerley Way to the north, there would be a gap of only 16.5m between the rear elevation, which again is below the Urban Design SPD guidance of 21m. As a result the proposed dwelling would cause some overlooking and loss of privacy over the rear gardens and rear elevations of Nos. 4 and 6 Byerley Way to the detriment of the amenity enjoyed by the occupants.
- 5.45 The proposed dwelling on Plot 3 is not considered to have any significant impact on the amenity enjoyed by the occupants of No. 11 Sedgefield to the south. There would be a gap of 10.5m between the rear elevation of the proposed dwelling and side elevation of No.11. In addition there is also a change in the levels of the site whereby the site slopes down towards the south-east. As No. 11 is set higher than Plot 3, and there is a high retaining wall along the northern boundary of the garden of No. 11, the proposed dwelling is not considered to have a detrimental overbearing impact on the amenity enjoyed by the neighbouring occupants.
- 5.46 Plots 4 and 5 are not considered to have any significant impact on the neighbouring dwellings due to their small footprint and positioning inline with No. 3 Coronet Close.
- 5.47 Overall the proposal is of fairly high density, with large houses on relatively small plots. Although somewhat cramped Officers do not consider this to be significantly out of character with the surrounding area. Plots 1 and 2 would have a detrimental impact on the amenity enjoyed by the neighbouring properties No. 1 and 2 Coronet Close and Nos. 2, 4, and 6 Byerley Way. The proposed dwellings would have a significant overbearing impact on these neighbouring properties which would result in a loss of privacy and overlooking, contrary to Policy CH3 of the Crawley Borough Local Plan, and the guidance contained within the Urban Design Supplementary Planning Guidance in regards to neighbour amenity.

The adequacy of accommodation and amenity space for future occupiers

- 5.48 Policy CH5 provides the Council's adopted requirements for internal space standards and confirms that external space should be adequate to meet basic privacy, amenity and usability requirements,

suitable for the level of occupancy. The internal space standards for a two storey 3 bedroom dwelling 93sqm and a two storey 4 bedroom dwelling is 106sqm. The Urban Design Supplementary Planning Document provides the expected standards relating to external space which for 5-6 occupants is 90sqm. It is noted that the Outline Application provides measurements of the internal floorspace and amenity spaces. However it has not been possible to fully assess the internal space standards, as detailed internal floorplans have not been provided. Despite this it is likely that the dwellings would meet the internal floor space requirements of Policy CH5.

- 5.49 The Urban Design Supplementary Planning Document states that a minimum garden depth for dwellings should be 10.5m, and is measured from the rear external wall to the property's rear boundary. None of the gardens of the proposed dwellings would meet this guidance. In particular the relatively small rear gardens of plots 4 and 5 would be further reduced by the group of mixed species trees along the southern boundary of the site. Despite this all of the private amenity areas would exceed the minimum area standards contained within the Urban Design SPD.
- 5.50 In regards to Plot 3 and the usability of the garden, the site slopes down towards the south-eastern corner. From the site visit it was evident that the properties on Sedgefield Close are located considerably higher than the application site. Although a detailed section drawing has not been provided to demonstrate that level changes, and the resultant relationship between No. 11 Sedgefield Close and the proposed Plot 3, it is considered that No. 11 could cause some overshadowing and dominance on the rear garden of Plot 3.
- 5.51 Overall the dwellings would be tightly crammed into the site, and the garden of Plot 3 would also be overshadowed by the neighbouring property No. 11 Sedgefield Close. Despite this it is considered on balance that, although the garden depths would be below the 10.5m recommended in the Urban Design SPD, adequate outdoor amenity space for future occupants would be provided, and on balance therefore it is considered acceptable.

Impact on Highways and Parking Provision

- 5.52 Access to the development would be provided from the eastern end of Coronet Close, an access road would run through the centre of the site with a T-shaped turning head at the eastern end. Initial comments from West Sussex County Council requested that additional information was provided outlining the ability for refuse and emergency vehicles to use the turning head. A swept-path analysis diagram for large refuse vehicles was subsequently submitted and is considered to demonstrate that there would be adequate turning space for large vehicles at the eastern end of the new access road serving the development.
- 5.53 WSCC Highways also queried whether the new road would be offered for adoption or whether it would remain a private road. It was confirmed by the agent in an email dated 20th July 2018 that it is not intended to offer the new road for adoption. It will remain a private road and each house will own half of the road width, along its respective frontage, with collective management and maintenance obligations.
- 5.54 Policy IN4 states that development will be permitted where it provides the appropriate amount of car and cycle parking to meets its needs when assessed against the borough council's car and cycle parking standards. The Crawley Borough Parking Standards as set out in the Urban Design SPD require a minimum of 2 parking spaces per 3+ bedroom dwelling. In regards to cycle parking, the dwellings must provide 2 cycle parking spaces and 1 space per 8 dwellings for visitors.
- 5.55 Each property would have 2 off street parking spaces. The two semi-detached dwellings would have their parking spaces on driveways in front of the properties. The detached properties would have

one parking space in front of the property and one on the site. All of the dwellings would have a shed within their rear gardens for storage of cycles. The sheds would measure 4m in length, 1.2m in width. As a result the proposal would be in accordance with Policy IN4 of the Local Plan and the Crawley Borough Council Parking Standards.

- 5.56 In regards to refuse and recycling arrangements, comments from Refuse and Recycling and WSCC Highways have confirmed that the provisions and collection arrangements would be acceptable.
- 5.57 Comments have been received from neighbours that the proposal would increase traffic and vehicle movement to and from the site. Although there would be an increase in vehicles, it is not considered by the Local Highway Authority that the proposed residential development would have a 'severe' impact on the operation of the highway network. As a result it is not considered that a refusal could be justified on highway safety grounds given that it would only be an increase of 5no. dwellings on the site and that the surrounding area is already a residential estate. Despite this it has been requested by WSCC Highways that a construction management plan is submitted to address access, deliveries, and parking during construction. It is considered that this could be required via a condition if the scheme was otherwise acceptable.
- 5.58 Overall the proposal is considered to be acceptable in terms of highway safety, and adequate vehicular and cycle parking would be provided in accordance with Policy IN4 and the Crawley Borough Parking Standards.

Impact of noise

- 5.59 Policy ENV11 states that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future users. The surrounding area is already residential, therefore given that the proposal would be for additional residential properties it is not considered to result in an unacceptable noise disturbance and would not expose existing or future residential properties to unacceptable noise levels.
- 5.60 Comments from neighbours have highlighted that felling of the trees and clearance of the site has increased noise pollution from the M23 to the existing residential properties. There is still a substantial area of woodland to the east, and the application site is 240m to the west of the motorway. Therefore in this instance given the location of the site and the proposed development, a noise impact assessment is not considered to be required, particularly as there are other residential properties located significantly closer to the M23 on The Canter, Kelso Close, Hexham Close and Ticehurst Close.

Impact of drainage and increased flood risk

- 5.61 In regards to the drainage impacts of the change of use and potential increased flood risk, comments have been received from neighbours stating that since the removal of the trees, the site has become significantly more waterlogged. The Drainage Officer has been consulted and states that although the proposal has substantially changed the use of the site, it does not lie within a Flood Zone. Therefore a flood risk assessment is not required. However the proposal would involve a significant change of use of the site and would include a large area of hardstanding. If the scheme was considered to be acceptable a condition could be attached to ensure that runoff from the site will be no greater than the existing rate.

Sustainability

5.62 The applicants have sought to address the requirements of Policies ENV6 and ENV9 by providing a Sustainability Statement. The Council's Energy Efficiency and Sustainability Officer has provided comments on this, stating that the details provided represent an improvement on Building Regulations Part L requirements and are acceptable in terms of Policy ENV6. Likewise it is proposed that the development would meet the water efficiency standard required by Policy ENV9. Conditions could be attached to secure the implementation of these approaches in accordance with Policies ENV6 and ENV9 if the scheme was approved.

Provision of Infrastructure Contributions

- 5.63 Policy IN1 requires developments to make provision for their on and off site infrastructure needs and confirms that the Council will seek to implement a Community Infrastructure Levy (CIL). The Crawley CIL Charging Schedule is in effect from 17th of August 2016 and is also relevant to this application since the proposal is for 5 new dwellings. According to the CIL Charging Schedule 2016 the charge for residential within the borough wide zone is £100 per sqm subject to indexation. Should planning permission be granted, an informative should be attached to the decision notice to inform that this development constitutes Community Infrastructure Levy 'CIL' liable development which is a mandatory financial charge on development.
- 5.64 Crawley Borough Council Local Plan Policy H4 states that 40% affordable housing will be required from all residential developments. As the proposal is for 5 dwellings, the principle of a financial contribution is acceptable. An Affordable Housing Statement has been submitted as part of the application, the contribution calculated is in accordance with the Affordable Housing Calculator and would meet the requirements of Policy H4. The applicant has confirmed a willingness to make the required contribution, but a legal agreement has not been completed.
- 5.65 Policy CH6 states that at least one new tree for each new dwelling should be provided of an appropriate species and planted in an appropriate location. Similarly where development proposals would result in the loss of trees, applicants must identify which trees are to be removed and replaced in order to mitigate for the visual impact resulting from the loss of tree canopies. The proposal has involved the clearance of numerous trees from the site. There is no accurate information as to the exact number or size of trees that have been felled. Following comments from Forward Planning, the Ecologist and the Arboricultural Officer that the only appropriate mitigation would be to replant the woodland.
- 5.66 Policies ENV4 and ENV5 establish the key planning considerations in relation to the provision of open space, sport and recreation facilities. Given that the proposal is for only 5no. dwellings, a financial contribution towards open space is not required by Policy ENV5. However, the proposal would result in the direct loss of an open space. Policy ENV4 states that proposals that remove or affect an open space will not be permitted unless the loss from the proposed development would be replaced by the equivalent or better provision in terms of quantity or quality in a suitable location. It is considered that the proposed mitigation within the Management Proposal to the adjoining woodland and surrounding area are insufficient to address this.

CONCLUSION:-

6.1 The application is for outline permission to consider access, layout and scale, with appearance and landscaping to be reserved, for the erection of 5no. dwellings, comprising of 2no. 3 bedroom semi-detached dwellings and 3no. 4 bedroom detached dwellings. The application site is designated as

Ancient Woodland forming part of the wider Burleys Wood area, and is also designated as Structural Landscaping in Local Plan Policy CH7.

- 6.2 The main planning considerations in the determination of this application are the loss of Ancient Woodland, Structural Landscaping and open space and its development for residential use. The loss of the Ancient Woodland would be contrary to the objectives of Policy ENV2 which commits to protecting biodiversity and states that planning permission will not be granted for development that results in the loss or deterioration of Ancient Woodland unless the need for and benefits of the development in that location clearly outweigh the loss. Similarly the proposal would be contrary to paragraph 175 (c) of the NPPF (2018) which has a related aim to protect and enhance biodiversity and reaffirms that development resulting in the loss or deterioration of irreplaceable habitats (such as Ancient Woodland) should be refused unless there are wholly exceptional reasons. The development of the site would result in the loss of an important area of Ancient Woodland which has a significant biodiversity and ecological value. The proposal would also result in the loss of an area of Structural Landscaping which makes a significant contribution to the character and visual amenity of the residential area.
- 6.3 The development of the site would result in the loss of an important open space in Pound Hill, which by 2030 is expected to be deficient of such space (Crawley Open Space, Sport and Recreation Study 2014). The loss of the open space would detrimentally impact the local resident's quality of life and the environment in which they live. The proposed mitigation and management proposal is also not considered to adequately address the requirement for replacement open space provision under Policy ENV4.
- 6.4 The principle of development of the site for residential use is also not considered to be acceptable, given that Crawley Borough can demonstrate a five year housing supply and the Annual Monitoring Report (2016-2017) indicates that the Borough is on track to meet the delivery figure set out in Policy H1, it cannot be said to have an immediate unmet housing need which would justify the loss of the Ancient Woodland. The proposal would therefore be contrary to Policies SD1, H1, CH1, CH2 and CH3 of the Crawley Borough Local Plan.
- 6.5 Although the loss of Ancient Woodland is not considered to be acceptable, the proposed dwellings would be extremely close to the remaining Ancient Woodland and a 15m buffer zone has not been provided within the site layout to mitigate the impact on the trees to the east. It is also considered that insufficient evidence has been provided to substantiate the conclusion of the Ecological Report dated 6th March 2018 that there was no evidence of protected species on the site.
- 6.6 In regards to the impact on neighbouring properties, Plots 1 and 2 would have some overbearing impact and loss of privacy on the rear gardens and rear windows of Nos. Nos 1 and 2 Coronet Close, and Nos, 2, 4 and 6 Byerley Way.
- 6.7 There is also no agreement to secure the appropriate contribution towards affordable housing and additional/replacement planting required by Policies H4 and CH6.
- 6.8 Based on the above matters, it is recommended to refuse outline planning permission for this application.

RECOMMENDATION RE: CR/2018/0128/OUT

REFUSE - For the following reason(s):-

1. The proposal would result in the loss of an important Ancient Woodland site and an area of Structural Landscaping. The site has a significant biodiversity and ecological value, has a significant amenity value in the local area and there are not considered to be wholly exceptional reasons which justify the development of the site, contrary to Policies SD1, CH2, CH3, CH7, ENV1 and ENV2 of the Crawley Borough Local Plan (2015-2030) and the relevant sections of the National Planning Policy Framework (2018).
2. The development of the site would result in the loss of an important open space in Pound Hill, which by 2030 is expected to be deficient of such space. The loss of the open space would detrimentally impact the local resident's quality of life and the environment in which they live, contrary to Policies CH3 and ENV5 of the Crawley Borough Local Plan (2015-2030), the Green Infrastructure SPD (2016), and the NPPF (2018).
3. The principle of redevelopment of the site for residential is not considered acceptable, given that Crawley Borough can demonstrate a five year housing supply and that the proposal would result in the loss of a nationally designated Ancient Woodland site, contrary to Policies SD1, CH1, CH2, CH3 and H1 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (2018).
4. The proposed development by reason of its layout and scale would result in an adverse impact on the amenities enjoyed by the occupants of neighbouring properties by way of loss of privacy, overlooking and an overbearing presence, contrary to policy CH3 of the Crawley Borough Local Plan (2015-2030) and the Urban Design Supplementary Planning Document (2016).
5. Notwithstanding the loss of Ancient Woodland is considered to be unacceptable in principle, the principle of development was considered to be acceptable the proposal by reason of its layout and close proximity to the area of Ancient Woodland to the east, would result in an unacceptable relationship with the trees and fails to include a 15m buffer zone to the Ancient Woodland, contrary to Policies CH2, CH3 and ENV2 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (2018).
6. Given the designation of the site as Ancient Woodland which is an important habitat for fauna, it is considered that it has not been demonstrated to the satisfaction of the Council that there are no legally protected species on the application site, contrary to Policies SD1 and ENV2 of the Crawley Borough Local Plan 2015-2030, and the relevant paragraphs of the National Planning Policy Framework (2018).
7. An agreement is not in place to ensure that the appropriate contributions for affordable housing, tree replacement and additional tree planting are secured. The development is therefore contrary to Policies CH6 and H4 of the Crawley Borough Local Plan 2015-2030, the Affordable Housing SPD (2017), the Green Infrastructure SPD (2016) and the relevant paragraphs of the National Planning Policy Framework (2018).

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 members/consultees/respondents/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.
- Informing the applicant of identified issues that are so fundamental that it has not been/would not be possible to negotiate a satisfactory way forward due to the harm that would be/has been caused.

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.

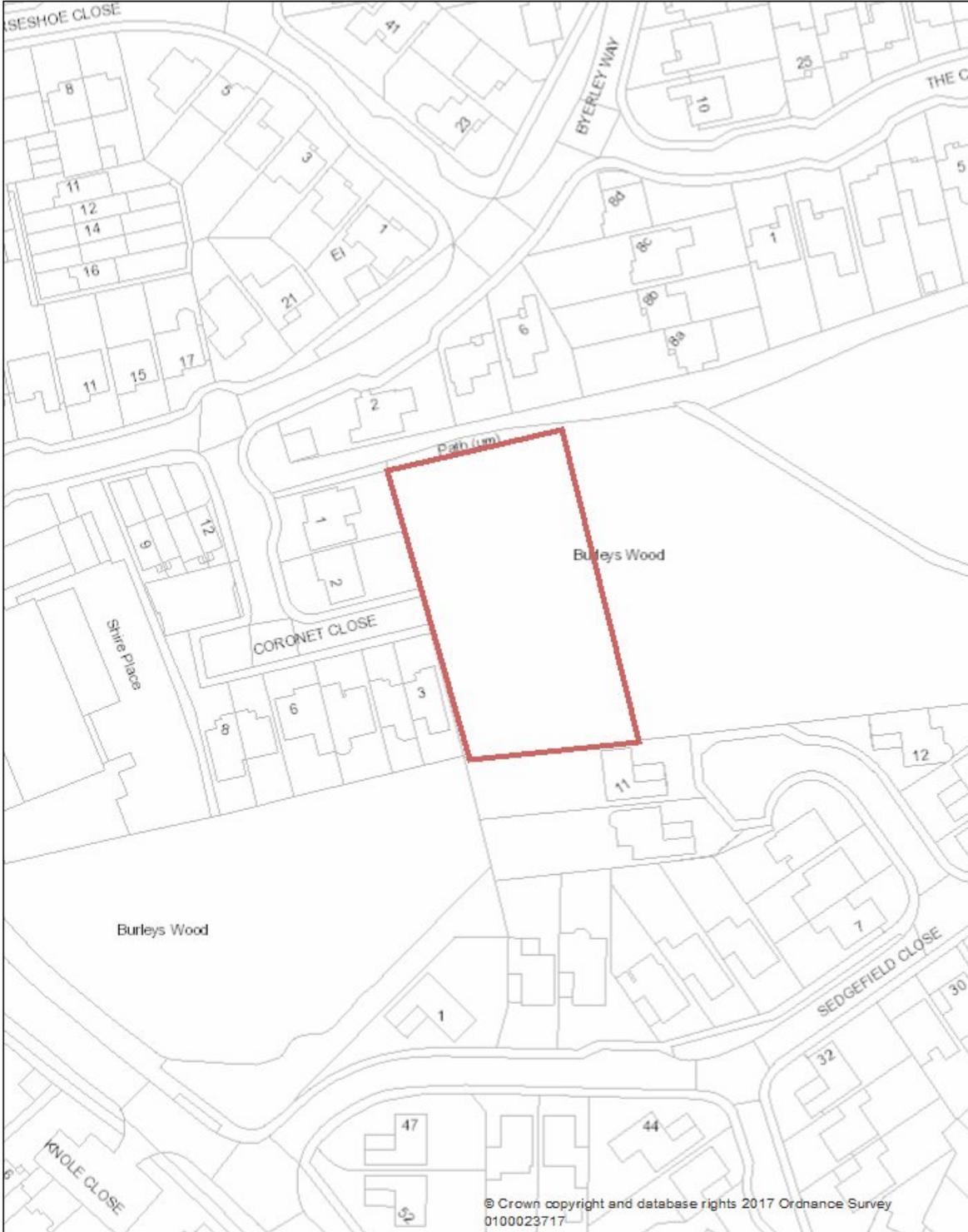


ArcGIS Web Map

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