

REFERENCE NO: CR/2015/0718/ARM

LOCATION: [PHASE 2B, FORGE WOOD, \(NORTH EAST SECTOR\), CRAWLEY](#)

WARD: Pound Hill North

PROPOSAL: APPROVAL OF RESERVED MATTERS FOR PHASE 2B FOR 169 DWELLINGS AND RELATED WORKS PURSUANT TO OUTLINE PERMISSION CR/2015/0552/NCC FOR A NEW MIXED USE NEIGHBOURHOOD

TARGET DECISION DATE: 25 January 2016

CASE OFFICER: Mrs V. Cheesman

APPLICANTS NAME: Persimmon Homes & Taylor Wimpey

AGENTS NAME: Pegasus Planning Group

PLANS & DRAWINGS CONSIDERED:

T.0335 06, Site Location Plan

T.0335_07-10, House Type PC32 Elevations & Floor Plans

T.0335_07-14, House Type WP2420A-2 - Plots TW96, 98, 130, 131, 134, 137, 138, 139 & 140

T.0335_07-17, Garages

T.0335_14, Site Survey

TPP-7827-2B 02 24 09 2015, - Tree Protection Plan

T.0335 18 02 , Tile Hanging

T.0335 18 03 , Decorative Barge Board

T.0335 18 04, Brick Corbelling

T.0335 18 05, Canopies

T.0335 18 06, Window Styles

T.0335 18 07, Creasing Tile Feature

T.0335 18 08, Brick Coursing

T.0335 18 09 , Stone Coursing

T.0335 18 10, Window Headers

T.0335 18 11, Window Cills

T.0335 18 12, Chimneys

T.0335_12 Rev A , Materials Plan

T.0335_02B TW, Site Layout Phase 2B

T.0335_03A-1, Block 1 Floor Plans

T.0335_03A-2, Block 1 Elevations

T.0335_03A-3, Block 2 Floor Plans

T.0335_03A-4, Block 2 Elevations

T.0335_03A-5, Block 3 Floor Plans

T.0335_03A-6, Block 3 Elevations

T.0335_03A-7, Block 4 Floor Plans

T.0335_03A-8, Block 4 Elevations

T.0335_03A-9, Block 5 Floor Plans

T.0335_03A-10, Block 5 Elevations

T.0335_03A-11, Block 6 Floor Plans

T.0335_03A-12, Block 6 Elevations

T.0335_04A, Building Heights Phase 2B

T.0335_05A , Garden Sizes Phase 2B

T.0335_07-12A AA31-2, - TW95, 97, 133, 135, 136

T.0335_07-14A WP2420A-2, - TW96, TW98, TW99 TW130, TW131, TW132 TW134, TW137, TW138,

TW139, TW140
 T.0335_07-18 PB33G-2, - TW82, TW83, TW84, TW85 & TW86
 T.0335_09A, Affordable Housing Plan
 T.0335_02C TW , Site Layout Phase 2B
 T.0335_03-5B, Block 3 Floor Plans
 T.0335_03-6B, Block 3 Elevations
 T.0335_03-9B, Block 5 Floor Plans
 T.0335_03-10B, Block 5 Elevations
 T.0335_03-11B, Block 6 Floor Plans
 T.0335_03-12B, Block 6 Elevations
 T.0335_04B, Building Heights Phase 2B
 T.0335_05B, Garden Sizes Phase 2B
 T.0335_07A, CH1 - TW87, TW119, TW144
 T.0335_09B, Affordable Housing Plan
 667_187_C_Phase 2B, Residential Soft Landscape Proposals_Sheet1of3
 667_188_C_Phase 2B, Residential Soft Landscape Proposals_Sheet2of3
 667_189_C_Phase 2B, Residential Soft Landscape Proposals_Sheet3of3
 667_190_C_Phase 2 , Residential Hard Landscape Proposals_Sheet1of3
 667_191_C_Phase 2, Residential Hard Landscape Proposals_Sheet2of3
 667_192_C_Phase 2, Residential Hard Landscape Proposals_Sheet3of3
 T.0335_07B-3-CH1, Plot 119&144
 T.0335_07B-20-CH1, Plot TW87
 T.0335_8A, Refuse Strategy Plan
 T.0335_11A, Street Scenes LR
 T.0335_15A, Enclosure Details
 T.0335_26 Rev A, Materials Palette
 T.0335_24 Rev B, Block 7 Elevations
 T,0335_25 Rev D, Block 7 Floor Plans

CONSULTEE NOTIFICATIONS & RESPONSES:

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|----|--------------------------------------|---|
| 1. | GAL - Planning Department | No objection – all proposed dwellings are located outside the area of the site that is predicted to be exposed to aircraft noise levels that the Secretary of State deemed to be unacceptable. Details of noise mitigation to be assessed as part of a condition 34 submission. |
| 2. | GAL - Aerodrome Safeguarding | No objections subject to condition and informative |
| 3. | National Air Traffic Services (NATS) | No objections |
| 4. | WSCC – Highways | No highway objections, where alterations are required, these are to be undertaken as part of the detailed design for the highways adoption agreement |
| 5. | Cycle Forum | Comments on cycle parking provision and bus stop details |
| 6. | Network Rail | Comments on relationship of houses to the Goods Yard and that every attempt should be made to mitigate against current and future noise. |
| 7. | Environment Agency | Objections due to lack of Flood Risk Assessment |

8.	Thames Water	Request a Grampian style condition be imposed as they consider there is inadequate sewerage capacity to accommodate the development. However, they advise that discussions are ongoing to agree a deliverable solution
9.	Southern Water Ltd	There is an inset agreement between Southern Water and Independent Water Networks Ltd for the supply of water services. The connection point to the water supply and the agreed demand flow rate must be complied with.
10.	CBC - Drainage Officer	No objection to amended surface water strategy
11.	WSCC - Surface Water Drainage (SWD)	No comments to make
12.	Independent Water Networks Ltd	No comments received
13.	Sussex Building Control Partnership	No comments received
14.	Police	Comments on security issues
15.	UK Power Networks	No objections
16.	Ecology Officer	No objections subject to condition
17.	CBC - Property Division	No comments to make
18.	CBC - Housing Enabling & Development Manager	No objections to amended plans
19.	CBC - Planning Arboricultural Officer	No objections
20.	CBC - Environmental Health	No objections subject to conditions
21.	CBC - Refuse & Recycling Team	Comments that it is encouraging that issues with previous bin collection points for individual houses have been taken on board as the layout now shows road side collection. However, express concern at the siting of the bin store for flat block 2.
22.	CBC - FP - Energy Efficiency & Sustainability	No comments to make as matter to be dealt with in condition 23 submission
23.	CBC - FP - Urban Design	Comments made on layout and design detailing

NEIGHBOUR NOTIFICATIONS:-

Application publicised via press and site notices.

RESPONSES RECEIVED:-

Two objection letters have been received from First Plan on behalf of the operators at Crawley Goods Yard. The initial letter was received in November 2015 commenting that the reserved matters for the housing were being put forward before the acoustic attenuation measures between the dwellings and Crawley Goods Yard had been designed.

A second letter has been received (April 2018) in response to notification on the latest plans and this notes that the flat barrier block follows the recommendation in the s73 noise report but plans need to show that

the windows are to be sealed shut and reference to the mechanical ventilation system for the flats is required. Also concern is expressed that the reserved matters have been submitted before the noise mitigation details for this phase. A condition 34 discharge application is required so that everything is considered comprehensively.

REASON FOR REPORTING TO COMMITTEE:-

The application relates to major development regarding the Forge Wood neighbourhood in which CBC has a land interest.

BACKGROUND:-

General

- 1.1 Outline planning permission for the North East Sector neighbourhood, now known as Forge Wood, was originally granted by the Secretary of State on 16th February 2011 under reference CR/1998/0039/OUT.
- 1.2 The outline planning permission established the principle of a mixed use neighbourhood to include up to 1,900 dwellings, 5,000 sq m of employment floorspace, 2,500 sq m of net retail space, a local centre/community centre, a primary school, recreational open space, landscaping, the relocation of a 132KV power line adjacent to the M23 and other associated works.
- 1.3 More recently a Section 73 - variation of conditions application CR/2015/0552/NCC (referred to in this report as the s73 application') was permitted on 15th November 2016, which issued a new outline planning permission for Forge Wood with updated decision notice relating to a new Master Plan, Design Statement and revised conditions.
- 1.4 The principle of the new neighbourhood, the quantum of development, as well as the access arrangements and principal road junctions have therefore been established. Various Reserved Matters applications have been considered by the Planning Committee for specific land parcels across the 4 phases of the development.

The western part of Forge Wood - Phase 2 and the Employment Building

- 1.5 The western part of the Neighbourhood (which lies to the west of the Central Parkland and the Gatwick Stream) comprises the residential parcels of Phase 2 and the employment building (part of Phase 3).
- 1.6 In respect of Phase 2, CR/2015/0628/ARM has been approved for the infrastructure works (roads and drainage). The residential sub phase 2A has been approved under CR/2015/0740/ARM and has been constructed. Sub phase 2D was approved under CR/2016/0114/ARM and is under construction. The remaining elements are thus the employment building and the residential sub phases 2B and 2C.
- 1.7 With regard to sub phase 2B, this subject application (CR/2016/0718/ARM) was due to be considered at the April 2016 Planning Committee, but the item was deleted from the agenda as the noise aspects required further consideration.
- 1.8 Since then and during the consideration of the s73 application, there were concerns over noise issues for Phases 2B and 2C, and specifically the relationship between the railway line, Crawley Goods Yard and the new dwellings. It was decided that a revised and updated noise report and chapter for the Environmental Statement (ES) was required. This was needed to inform the s73 application. It was also decided that the overarching approach to noise at this level needed to be resolved before detailed consideration could be given to the individual reserved matters applications.
- 1.9 The revised ES and s73 application details set out that a combination of mitigation measures would be required for the residential phases 2B and 2C including a 100m noise exclusion zone/buffer at the western boundary (where dwellings are not permitted due to noise and air quality issues), and

the erection of a non-residential building to act as a barrier to screen the dwellings from the industrial noise. Other measures also required were an appropriate layout of the residential parcels themselves to ensure the design, internal layout and siting of the individual dwellings mitigated the noise impact with sound insulation measures and, where necessary appropriate mechanical ventilation.

- 1.10 Furthermore, condition 34, which requires the submission of a scheme to protect the dwellings from noise, needed to be re-worded as part of the s73 application. The condition 34 details would then be subsequently submitted as a conditions discharge request and this would be considered alongside the relevant reserved matters applications.
- 1.11 Thus, more recently, and since the issuing of the s73 permission, the approach to this part of the Forge Wood development has been reassessed in the light of these requirements. The residential parcels of sub phases 2B and 2C (CR/2016/0083/ARM) and the application for the employment building (CR/2016/0858/ARM) have been revisited and the revised plans have been considered as a whole. This report deals with sub phase 2B, the application for the employment building is considered elsewhere on this agenda. The details of 2C are still under assessment and will be brought to a subsequent Planning Committee. In addition the applicants have advised that a conditions discharge application for condition 34 (noise mitigation) for the dwellings is to be submitted imminently. An update on this position will be given at the meeting.

THE APPLICATION SITE:-

- 2.1 The application site for sub phase 2B is part of Phase 2 and has a site area of 5.56ha. It forms part of the western development parcels within the wider development site. This parcel is located at the southern end of Phase 2, adjacent to the employment area and then leading down to the fishing lakes and bordering the central parkland.
- 2.2 The site is bounded a treed area to the west and the site for the employment area, beyond which is the London-Brighton railway line, on the other side of which is the Good Yard. The central parkland lies to the east, and there is woodland/ancient woodland to the south. The site will join Phase 2C on its northern boundary.
- 2.3 The topography of the site and surrounding area is broadly flat and slightly higher towards the western side of the site. The Gatwick stream runs from south to north through central parkland area to the east. There is a large pond just beyond the south western corner of the site which is used by a local fishing club. The site is identified as an archaeologically sensitive area. There are mature trees located on the west along the railway line and along the southern boundary. There are smaller trees of lower quality shown to be removed on the proposed site layout which bisect the upper section of the site.
- 2.4 The site is located to the west of the Gatwick Stream floodplain which forms the new central parkland. The closest residential units to the designated floodplain are the large 3-storey apartment blocks along the eastern part of the site. The new spine road will bisect the floodplain linking Phase 2 to other parts of Forge Wood.

THE PROPOSED DEVELOPMENT:-

- 3.1 This amended application seeks the Approval of Reserved Matters for Phase 2B of Forge Wood. The 169 dwellings, of which 41% would be affordable units, comprise a mix of 3 storey apartments and houses of 2-2 ½ storeys in height as follows:
 - 40 x 3 bedroom semi-detached and terraced dwellings;
 - 18 x 2 bedroom semi-detached and terraced dwellings;
 - 21 x 1 bedroom (2 person) apartments;
 - 18 x 2 bedroom (3 person) apartments;
 - 72 x 2 bedroom (4 person) apartments.

- 3.2 The phase is accessed via the new spine road which serves phase 2 and connects to the wider neighbourhood via two bridge crossings. The principal point of access for this phase would be via the southern spine road and bridge crossing which forms part of the application site. The main spine road through this phase of development then leads north through Phase 2C and up into Phase 2A further to the north. This then leads via the northern bridge crossing into the local centre area in phase 1. The new spine road serving Phase 2B will also provide one of the accesses into the employment land located to the west (adjacent to the railway line). The dwellings in this sub phase are located to the east and west of the central spine road which serves Phase 2.
- 3.3 There are three main character areas within Phase 2B:
- 'CA1 / Main Street' – This character area consists of the semi-detached and terraced properties west of the main spine road.
 - 'CA2 / Parkland Edge' – This character area consists of 6 x three storey apartment blocks to the east of the main spine road bordering the central parkland.
 - 'CA3 / Neighbourhood Housing' – This consists of a mix of terraced, semi-detached and detached houses together with a block of flats. The largest change to the layout as now submitted relates to the southern part of this character area. This was previously shown to be 18 houses. The amended layout now is for a block of flats of 33 units which together with the employment building will provide for the noise mitigation for this sub phase. The properties on the western side of this character area benefit from an attractive outlook onto the parkland adjacent to the employment area.
- 3.4 The following documents have been provided in support of the application:
- Design Statement;
 - Planning Statement;
 - Surface Water Drainage Strategy
 - Residential Landscape Management Plan;
 - Arboricultural Impact Assessment;
 - Ecological Assessment.
 - Noise Report

PLANNING POLICY:-

The National Planning Policy Framework July 2018 (NPPF)

- 4.1 The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three overarching objectives - economic, social and environmental. These objectives are interdependent and need to be pursued in mutually supportive ways. At the heart of the Framework is presumption in favour of sustainable development.
- 4.2 Relevant paragraphs are:
- Paragraph 11: presumption in favour of sustainable development – this means that development proposals that accord with an up – to –date development plan should be approved without delay.
 - Section 5: delivering a sufficient supply of homes – this seeks to significantly boost the supply of housing.
 - Section 6: Building a strong, competitive economy – significant weight should be placed on the need to support economic growth and productivity.
 - Section 11: Making effective use of land – decisions should promote 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.
 - 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 – decisions should prevent new and existing development from contributing to, being put at risk from, or being adversely affected by, unacceptable levels of pollution including air and noise. Potential adverse impacts on health and quality of life are to be taken into account. In respect of noise, decisions should mitigate and reduce to a minimum potential adverse impacts and avoid noise giving rise to significant adverse impacts on health and quality of life. Decisions should ensure new development can be integrated effectively with existing businesses, which should not have unreasonable restrictions placed upon them as a result of development permitted after they were established. Where the operation of an existing business could have a significant adverse impact on new development in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.

Crawley 2030: The Crawley Borough Local Plan 2015-2030

4.3 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that applications for planning permission must be determined in accordance with the relevant provisions of the Development Plan unless material considerations indicate otherwise.

4.4 The Plan was adopted on 16th December 2015.

4.5 Housing policy H2 identifies Forge Wood as a key deliverable housing site for up to 1,900 dwellings within the period to 2020. Policy H3 requires all housing development to provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand. Affordable and low cost housing should be provided as part of the housing mix and policy H4 specifies the requirement for affordable housing. In this case the affordable housing requirements for Forge Wood are already addressed through conditions 1, 62 and 63 on the outline permission.

4.6 Overarching policy SD1 sets out the presumption in favour of sustainable development in line with 6 strategic objectives which include progress towards climate change commitments, providing a safe and secure environment for residents and visitors and meeting the social and economic needs of the current and future population and policy CH1 supports development in line with the neighbourhood principle (of which this sub-phase of Forge Wood complies with).

4.7 Policy CH2 sets out the principles for good urban design and states:

To assist in the creation, retention or enhancement of successful places in Crawley, development proposals will be required to:

- a) respond to and reinforce locally distinctive patterns of development and landscape character and 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, putting people before traffic and integrating land uses and transport networks;*
- 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; and*
- g) provide diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local needs.*

Applications must include information that demonstrates that these principles would be achieved, or not compromised, through the proposed development.

4.8 Policy CH3 sets out the normal requirements of all development and requires proposals to be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context, be of high quality in terms of landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views,

landscape, layout, details and materials. In addition, proposals must provide a good standard of amenity for future residents in compliance with internal space standards and not cause unreasonable harm to the amenity of the surrounding area by way of overlooking, dominance or overshadowing, traffic generation and general activity. The policy requires the retention of existing individual or groups of trees that contribute positively to the area and seeks to ensure sufficient space for trees to reach maturity particularly when located in private gardens to ensure dwellings receive adequate daylight. Development should also meet its operational needs in respect of parking, access, refuse storage etc. The policy also requires the development to incorporate 'Secure by Design principles' to reduce crime, consider community safety measures and demonstrate design quality through 'Building for life' criteria.

- 4.9 Policy CH4 requires the comprehensive and efficient use of land to ensure the proper phasing of development over a wider area.
- 4.10 Policy CH5 sets out the internal space standards for all new dwellings in line with the Nationally Described Space Standards and also requires development to include appropriate provision of external space.
- 4.11 Policy CH6 seeks to ensure landscape proposals for residential development contribute to the character and appearance of the town and seeks to ensure 1 new tree for each dwelling and where trees are lost, seeks mitigation in line with the published replacement standards.
- 4.12 Policy CH7 identifies the central parkland area directly to the east of the application site as structural landscaping and an important feature that should be protected and enhanced. This aspect has been considered and identified as an integral landscape feature in the overall masterplanning of Forge Wood.
- 4.13 Policy CH12 seeks to protect heritage assets. The site has been identified as an archaeologically sensitive area and condition 19 on the outline permission covers these requirements.
- 4.14 Policy EC4: Employment Development and Residential Amenity seeks to ensure that economic functions of areas are not constrained by inappropriate residential development and equally that no adverse effect to the amenity of residential areas occurs from economic development.
- 4.15 Policy ENV2 requires all proposals to encourage biodiversity where appropriate and to refuse proposals where there would be significant harm to protected habitats or species unless harm can be appropriately mitigated.
- 4.16 Policy ENV6 sets out the requirement for all development to maximise carbon efficiency with all new dwellings being required to have strengthened on-site energy performance standards while policy ENV9 seeks to ensure development is planned and designed to minimise the impact on water resources and promote water efficiency.
- 4.17 Policy ENV8 seeks to ensure development proposals must avoid areas which are exposed to an unacceptable risk from flooding and must not increase the risk of flooding elsewhere. The suitability of this site was considered as part of the outline application, through the overall masterplan layout and via the site wide drainage strategy covered by condition 16. The reserved matters applications are required to include the specific drainage details for the relevant phase/sub phase.
- 4.18 Policy ENV11 seeks to protect people's quality of life from unacceptable noise impacts by managing the relationship between noise sensitive development and noise sources. Residential and other noise sensitive development in areas that are exposed to significant noise from existing or future industrial, commercial or transport noise 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 of the development will be made acceptable. Noise generating development will only be permitted where it can be demonstrated that nearby noise sensitive uses (existing or planned) will not be exposed to noise impact that will adversely affect the amenity of existing and future users. Proposals will be required to appropriately mitigate noise through careful planning, layout and design.

- 4.19 Policy IN1 seeks to satisfactory infrastructure provision on and off site and where necessary mitigation (this site was considered as part of the outline application, through the overall masterplan layout and via planning conditions).
- 4.20 Policy IN2 requires residential development to be designed and connected to high quality communications infrastructure and to ensure that fibre optic or other cabling does not need to be retrofitted.
- 4.21 Policy IN4 requires development to meet its needs when assessed against the Council's car parking and cycle parking standards.

Supplementary Planning Guidance and Documents

- 4.22 The Council's following Supplementary Planning Documents and Guidance Notes are also relevant to this application. The Supplementary Planning Documents were all adopted in October 2016:
- Planning and Climate Change – Sets out a range of guidance seeking to reduce energy consumption, minimise carbon emissions during development, supporting District Energy Networks, using low carbon or renewable energy sources, tackling water stress, coping with future temperature extremes, dealing with flood risk and promoting sustainable transport.
 - Urban Design – With specific reference to Crawley's character, the SPD addresses in more detail the seven key principles of good urban design identified in Local Plan Policy CH2. The principles cover Character, Continuity and Enclosure, Quality of the Public Realm, Ease of Movement, Legibility, Adaptability and Diversity. The document provides guidance on residential development including external private amenity space standards. It also sets out the car and cycle parking standards for the Borough.
 - Green Infrastructure – Sets out the Council's approach to trees, open space and biodiversity. It includes the justification and calculations for tree replacement and new tree planting under Policy CH6. A contribution of £700 per tree is sought for each new dwelling.
 - Developer Contributions Guidance Note (Adopted July 2016) - Following the introduction of the Community Infrastructure Levy, this guidance note sets out the Council's approach to securing contributions towards infrastructure provision.

PLANNING CONSIDERATIONS:-

- 5.1 The principle of the new neighbourhood, the quantum of development and the main access arrangements have been established with the grant of the original outline planning permission (CR/1998/0039/OUT) and the subsequent application CR/2015/0552/NCC which resulted in the issue of a new outline planning permission for Forge Wood.
- 5.2 This application is for the approval of Reserved Matters, that is, for the detailed design and layout only and the LPA cannot refuse it on grounds which go to the principle of the development. It can only consider detail relevant to that particular application.
- 5.3 The key issues to consider in determining this application are:
- Is the proposal in substantial accordance with the approved Masterplan and Design Statement?
 - Design approach and links with existing and subsequent phases of the development.
 - Housing mix and affordable housing
 - Adequacy of the dwellings for future occupiers including parking and servicing requirements
 - Noise impacts
 - Sustainable design considerations
 - Impacts on ecology, trees and landscaping
 - Surface Water Drainage
 - Foul Drainage
 - CIL

Is the proposal in substantial accordance with the approved Masterplan and Design Statement?

- 5.4 The Masterplan and Design Statement for Forge Wood sets out the general structure and layout of the overall development and identifies character areas. This application site is comprised of areas designated as Main Street, Neighbourhood Housing and Parkland Edge as set out in the Design Statement.
- 5.5 The approved Masterplan shows the Phase 2B with higher density development of 3-4 storeys flats on the eastern section of the site overlooking the central parkland. The remaining land shown on the masterplan forms the 'Neighbourhood Housing' and 'Main Street' which is made up of lower density housing. The Masterplan shows a large area of open space to the west of the residential development. A mature treeline separates the housing from the commercial area and access paths are shown providing integration between Phase 2B and part of Phase 3 (the commercial area).
- 5.6 The Masterplan incorporates a 100m Noise Buffer area from the railway goods yard and no dwellings are permitted within this area as controlled by condition 64 of the outline permission due to the existing noise and air quality environment. The dwellings in this sub phase are positioned outside of the buffer zone and so meet this locational requirement of the Masterplan and condition 64 of the outline permission.
- 5.7 The general road arrangements correspond with that shown on the Masterplan and the finer details of the overall layout. This sub phase has been developed from the road layout and other details shown in the Phase 2 infrastructure application.
- 5.8 In terms of the approved Design Statement, the objectives are:

Main Street

- Create a low speed highway network where the carriageway is subservient to the urban form.
- Provide a highly permeable development to encourage pedestrian and cycle movement.
- Create a sequence of clearly designed spaces to aid orientation and local identity.
- Building heights to be predominantly 2 to 2½ storeys with occasional 3 storey development to punctuate or enclose key spaces or to terminate vistas.
- On curtilage parking to be discrete, set back behind main building line or in courtyards.
- On street parking to be in groups of no more than 3 spaces.
- Varying road width with a minimum of 5.5 metres with a footpath on either side although not necessarily contiguous with the carriageway.

Neighbourhood Housing

- Create a low speed highway network where the carriageway is subservient to the urban form.
- Provide highly permeable development to encourage pedestrian and cycle movement.
- Provide mainly 2 to 2½ storey housing with occasional 3 storey houses.
- Create a series of lower key, clearly designed spaces to aid orientation and local identity.
- Provide high quality landscape to green the residential environment
- Provide a coordinated approach to front gardens/privacy strips.

Parkland Edge

- Create a strong backdrop to the central area of parkland of 3 and 4 storey apartments or townhouses
- Vehicular access from the rear with pedestrian and cycle links on the parkland edge
- Occasional breaks in the building frontage to allow views from deeper within the development
- Use of key buildings/architectural features to terminate vistas from the opposite side of the valley
- Complementary frontage to internal spine road
- Buildings to frame views to the spine road to aid orientation

- 5.9 The proposal comprises a mix of 2, 2½ and 3 storey development and the overall layout of roads and streets and the dwellings within them continues the approach established in earlier phases of Forge Wood, and are considered to be in accordance with the objectives set out in the approved Design Statement and consistent with the overall character of the neighbourhood and the specific character areas now established for Forge Wood.

- 5.10 In terms of density, condition 1 of the outline permission requires the development to be built out at an average density no lower than 41 dph in respect of the net residential area. The net developable area of this sub phase is shown as 2.82 ha which provides an average density of approximately 60 dph. Whilst 2A and 2D have lower densities, the average density across phase 2 as a whole is likely to be achieved with Phase 2B and 2C providing a higher average density. This would compensate for the lower densities of phase 2A and 2D. Thus phase 2B is acceptable as phase 2 overall would meet the overall requirements of the condition.
- 5.11 It should also be noted that density in this sub phase has increased since the application was initially submitted in 2016 due to the need to specifically address noise issues with the inclusion of the noise barrier flat block in the southern part of the site. The inclusion of flats in this part of the site, rather than houses has increased dwelling numbers on this sub phase and so accordingly has increased the density.
- 5.12 A high density in itself is not unacceptable and lower densities would not be an efficient or effective use of the land at Forge Wood, which is the largest key housing site in the Local Plan under Policy H2, and would affect the ability to deliver the required housing numbers to address the Borough's housing need. Condition 4 of the outline permission imposes a maximum of 1900 units. The aim is to achieve as close to the 1900 units as possible and to achieve the most effective use of the land to provide housing, subject to the context, detailed design, layout, housing mix, noise issues etc. These elements are considered in more detail below.

The Design approach and links to subsequent phases of the development

- 5.13 The proposed layout and detailing of the 2 and 2½ storey houses and 3 storey flats within the character areas continues the overall design approach established in earlier phases of Forge Wood. The house types and designs are generally similar to those that have been approved in other phases, but with some variations to address the character area within which they are located and the local site context.
- 5.14 The details also incorporate refinements to the scheme which have emerged and are ongoing as the neighbourhood has been built out. The proposed detailing and palette of materials for the dwellings are also broadly in line with the approved Design Statement. The specific materials can be further considered and agreed in more detail through condition 38 attached to the outline planning permission.
- 5.15 During the consideration of the application a number of issues have been identified that have required revisions, including the layout and design approach of particular areas of this sub phase, particularly to address noise issues, the location of the affordable units, amenity space provision, street scene impact, garden sizes, hard and soft landscaping, parking provision and layout, circulation within the site for vehicles and pedestrian linkages, and alterations to the design approach/detailing relevant to each of the identified character areas.
- 5.16 The amendments that have been submitted include the following:
- Flat barrier block in southern part of the site
 - The high concentration of the affordable units in the northern part of the site has now been dispersed, with more affordable units shown in the southern part of the site, so that they are spread throughout this phase.
 - Amended plans have addressed the design differences between the balconies on the flats. The projecting balconies on the private flats have been removed as this feature appeared incongruous with the design of other dwellings along the parkland edge. Juliette balconies are to be used for all flats, reflecting the approved design approach for the flats on the more recent phases (such as 3A, 3B and 4A) and would be tenure blind.
 - Garden sizes improved through reconfiguration of the layout throughout all parts of this sub-phase.
 - Parking arrangements have been revised to provide an appropriate level of spaces in convenient locations for the units, especially the flats

- Improvements have been made to visitor parking to create additional spaces in appropriate locations, in line with WSCC Highways requirements.
- Bus stop location added
- The design of a 3-bay terraced unit and a pair of semi-detached dwellings along the northern boundary of this sub phase, facing the southern boundary of the 2C sub phase (Persimmon), have been amended increasing these 2 storey dwellings to 2 ½ storeys in height to reflect the increased height of the neighbouring apartments blocks to the north and east.
- Paths added through the parkland to the west across to the employment area
- Cycle storage facilities amended to provide additional storage and in improved locations.

5.17 In terms of the architectural detailing, individual design features are shown on the various house types and detailed information has been provided. However, for some units a different verge/eaves detail has been introduced which is not considered to be appropriate and a condition is suggested to require the submission of an alternative design approach to these details.

5.18 Overall it is considered that significant improvements have been made to the design approach and layout of this phase from the initial submission, resulting in an acceptable design and layout.

5.19 The layout is also considered to connect with the key linkages identified in the Master Plan, including the footpath and cycle links into adjacent parcels to the north (Phase 2C), to the east across to the central parkland and to the local centre in Phase 1 and those to the south connecting to Crawley Avenue. This sub phase has also been designed to integrate with details of the employment building sub phase (CR/2016/0858/ARM), which is considered elsewhere on this agenda. The details have also been assessed alongside the current details and layout for phase 2C (CR/2016/0083/ARM) to the north, which is still under consideration and will be the subject of a separate report to a subsequent Planning Committee.

Housing Mix and Affordable Housing

5.20 A total of 169 units are proposed, comprising a mix of houses and flats, divided between 100 private market units and 69 affordable dwellings.

5.21 In terms of the **private dwellings**, the mix is:

63 x 2 bed flats
7 x 2 bed houses
30 x 3 bed houses

5.22 This range of private market dwellings is considered to be acceptable and provides for an appropriate mix of dwelling sizes.

5.23 The provision of **affordable housing** is specifically covered by condition 62 of the outline permission, as well as policy H4 of the Local Plan.

5.24 Condition 62 requires 40% affordable housing provision in each phase of the Forge Wood development and a 70:30 split between social rented accommodation and intermediate affordable housing.

5.25 Of the 169 dwellings proposed, 69 are affordable and therefore the level of provision is 41% for this particular sub phase. Condition 62 requires the 40% to be achieved across whole phase. In the case of the approved parcels of Phase 2, sub phase 2A delivers 24% and sub phase 2D has 40%.

5.26 Thus whilst 2B would slightly overprovide, there would still be a shortfall on this phase as a whole and this would be required to be made up on the remaining parcel 2C. The draft plans and figures provided for 2C (though still under consideration) indicate that this would be able to be achieved.

5.27 A similar approach was taken in phase 1, where different levels of affordable housing on the sub phases were considered to be appropriate and have been/are to be reconciled on other sub phases.

5.28 The mix of the affordable and market discount units provided is:

48 x 2 bed flats
11 x 2 bed houses
10 x 3 bed houses

5.29 The tenure split of these 69 affordable units is 48 units for affordable rent and 21 units for discount, which meets the 70:30 criteria.

5.30 The amendments that were requested by officers in relation to affordable housing concentrations have now been made and it is considered that there is now an acceptable mix of tenures across this sub-phase and the range and location of dwellings would be appropriate and policy compliant.

5.31 All the affordable houses within the layout will be for social rent and shown positioned along the western side of the 'Neighbourhood housing' character area. These properties are arranged in a linear formation, parallel to the proposed commercial area but with open space on the intervening land. The affordable housing is shown set back by approximately 50 metres from the commercial area and separated by a large area of open space and existing trees. It is not considered the positioning of the affordable units results in an unacceptable clustering of the dwellings, as the houses are dispersed linearly along the internal phase 2B road layout.

5.32 With regards to the flats, block 1 in the north eastern part of the site, provides 15 units for discount market sale. This block shows the same general massing, design, parking arrangements and internal layout as the private flats in blocks 2 – 6, all of which overlook the central parkland area.

5.33 In the southern part of the site is flat block 7 which provides 33 units, of which 27 are for affordable rent and 6 are for discount market sale. These units would have shared gardens to their immediate rear, together with communal grounds and would look across to a wooded area to the west.

5.34 Overall the general arrangement of affordable units is considered acceptable and the number of units and their position is not considered to result in an excessive or inappropriate cluster of affordable dwellings in this sub phase.

5.35 The design and detailing of the affordable dwellings is very similar to the market housing and it is considered the development will be tenure blind. The difference from the private market housing is that the affordable units do not have garages. Otherwise the level and form of detailing between the house types is consistent. The amendments to the layout have looked at the provision of adequate garden space and parking provision for the affordable units to ensure that the affordable units are assimilated into the overall layout in a sympathetic manner. There is now a degree of variety in the parking provision, and a reduction in the extent of frontage parking. This ensures that affordable housing is not an obviously different element of the development.

5.36 Overall it is considered that the dwelling mix would be appropriate, providing an adequate mix of dwelling sizes and styles to address the nature of the housing market, creating a varied form of development, both for this phase and taking into account the Forge Wood development as a whole.

Adequacy of the dwellings for future occupiers including parking and servicing

5.37 Internal dwelling sizes for all dwellings are in accordance with the National Space Standards and Policy CH5.

5.38 In respect of amenity space and garden sizes guidance contained within Policy CH5 and the Council's the Urban Design SPD outlines minimum floor area standards for private amenity space. It also states that '*external space standards are of particular importance to affordable housing. Since affordable housing tends to be fully occupied after construction, garden sizes for affordable housing should be met given the likely level of full occupancy*'.

5.39 With regard to the flats in this sub phase, the flat blocks are set in landscaped grounds, particularly the blocks in the eastern side of the site facing the central parkland. The flats in block 7, on the western side, have communal gardens and landscaped grounds and would have an outlook to a

wooded area to the west. These arrangements have been revised during the consideration of this application to ensure an appropriate layout to the rear and to incorporate sympathetically the refuse stores, cycle stores and parking spaces as well as the garden areas. Overall these are considered to be attractive and spacious layouts for these units, except for flats in units 164 – 166, which currently would be the only units in block 7 without a shared garden. Amended plans have been requested to revise this aspect. An update will be given at the meeting.

- 5.40 With regards to the 58 houses in this sub phase, it is acknowledged that not all of the units would accord with the Councils Outdoor Space Standards. 31 of the houses do not meet the outdoor space standards, with 18 being within 10% of the standards and 13 being within 25% of the standards.
- 5.41 Officers acknowledge that the garden sizes for houses are not fully in accordance with the outdoor space standards. However, this application has been the subject of various revisions, each time including further improvements made to the sizes of the gardens, and in particular to those of the affordable housing units. As a result the garden sizes have significantly improved from the original submission. It should be noted however that the particular constraints that apply to this site mean that has not been possible to achieve further revisions to reach 100% compliance with garden sizes.
- 5.42 Of particular note for this sub phase is the relatively narrow width of this residential land parcel due to the need to be set away from the railway line and Goods Yard to the west, and to the east the Central Parkland and flood compensation area alongside the Gatwick Stream. In addition, within this parcel, the road layout and associated infrastructure (including drainage features) have had to be accommodated. Given the constraints of the site and the requirement to provide 1900 new dwellings across all phases, including affordable housing, it is considered that the proposed garden sizes would be acceptable.
- 5.43 Of the 31 dwellings that do not meet the standards the scheme has now been amended and redesigned to a point where the additional rear garden space for these could not be achieved without resulting in harm to the aesthetic urban environment, the public realm open space and soft landscaping. The applicant has provided a detailed explanation of why each specific plot cannot be amended further, without causing harm to other aspects of the development. In addition, given the location of the site and surrounding open space, in particular the close proximity of the central parkland and nearby woodland it is considered that the development would also benefit significantly from the additional nearby open space.
- 5.44 Overall when assessing the application as a whole and having regard to the delivery of the neighbourhood as a package, the significant areas of open space and landscaping and also taking into account that garden sizes are set out as guidance not policy, and the lesser weight that this affords, it is considered that the development will have an appropriate level of amenity space overall and officers are of the view that the scheme should be considered acceptable.
- 5.45 In respect of privacy and overlooking, it is considered that the layout generally has sufficient separation between dwellings to safeguard outlook and privacy, but it is acknowledged that it is very tight in places. The Urban Design SPD states a separation distance of at least 21m between rear windows of proposed dwellings is required unless an appropriate design solution is adopted. The amended plans have sought to improve the situation but this has not been possible in all cases.
- 5.46 Flat blocks 2 and 4 have a fairly close separation distance at approximately 6 metres at their closest point, but here the facing gables are blank with no windows. The separation between these blocks then widens out to 18.5m and 20m and there are 2 bedrooms on each floor of the blocks which would have windows on the facing elevations but this would be across the central parking courtyard area, and is considered to be an appropriate arrangement in these circumstances.
- 5.47 For flat blocks 2 and 3 there is a 14m separation distance at their closest point, with the access into the parking courtyard between them. Each has a lounge window on the facing gables, but these rooms are double aspect, with a larger window and juliette balcony looking to the front. There is also a bedroom window on these facing gables but they are slightly offset from each other and so there would be a diagonal aspect between them.

- 5.48 Plots 121 and 107/108 have a separation distance of 19m, however plots 107/108 are set at a slight angle which does reduce to a certain extent any overbearing/overlooking impact on amenity. Plots 135/136 to 123/124 have a separation distance of 20.5m which on balance is acceptable.
- 5.49 While the layout is extremely tight and in a few places distances are below the SPD guidance, it is considered on balance acceptable. It should be noted that the privacy between the dwellings should not be worsened post construction as permitted development rights for roof alterations and extensions were removed by the outline permission and therefore future alterations to these dwellings are controlled (requiring planning permission).
- 5.50 With regards to parking provision parking spaces within the development are in accordance with standards and as revised are readily accessible. The requirements are 1.5 spaces per 2 bed house and 2-3 spaces for 3+ bed units. For the houses the parking provision proposed is in the form of garages or surface parking either to the front or side of the dwellings.
- 5.51 Parking for the flats is in the form of surface spaces in a courtyard arrangement in the immediate surrounds of the flats. The flats have one allocated parking space per unit, plus visitor spaces.
- 5.52 WSCC had requested amendments in relation to the locations of the visitor spaces, surfacing and details of the bus stop locations. The plans have been subsequently amended and WSCC latest comments advise that there is no highway objections in principle. Some alterations are required, but these and detailed constructional matters will all be dealt with as part of the highway adoption agreement process.
- 5.53 Cycle storage for the houses is either within the garages or by a storage shed in the garden. For the flats cycle stores are to be provided within the curtilage of the flat blocks or attached to the building. The Cycle Forum have commented on the layout of the cycle stores for the flats and have requested that they be provided with two cycle spaces per unit in accordance with the standard in the Urban Design SPD. It is considered that the storage can provide additional spaces internally and the details of this can be assessed by way of condition to ensure that they meet the cycle standards.
- 5.54 With regard to refuse and recycling arrangements, the amended layout now shows that individual houses have refuse storage facilities within curtilages and would have the usual kerbside collection point. Flats would have communal collection from the bin stores attached to the buildings or from the separate bin store buildings in their courtyards.
- 5.55 CBC Refuse & Recycling Team have raised comments regarding the revised bin store and collection point for flat block 2. It is considered that this could be re-sited to be in a more suitable location for the collection crews and amended plans have been requested. An update will be given at the meeting.

Noise considerations

- 5.56 Noise is a significant issue across Forge Wood and especially on phase 2 arising from the proximity of Gatwick Airport, plus the railway line and Goods Yard. Noise was a key consideration at the Planning Inquiries in respect of the original outline application, as well as the more recent s73 application. In addition, an earlier report for this particular Reserved Matters application was deleted from the agenda of the Planning Committee in April 2016 as noise issues and their appropriate mitigation at that time were not resolved.
- 5.57 The details of the reserved matters applications for the residential parcels therefore need to have regard to the noise environment in respect of the layout of that part of the site, including the positioning and orientation of the dwellings, and their internal layout and design. In addition, the outline planning permission under condition 34 requires a scheme to demonstrate the dwellings on a phase or sub phase have sufficient protection against aircraft, railway, road and industrial noise sources.
- 5.58 In respect of **aircraft noise** from both a single and two runway airport, GAL have commented that all the new dwellings are located outside of the area of the site that is predicted to be exposed to noise levels that would be unacceptable for dwellings (above 66dBALeq as set out in condition 33). They thus have no objection to the siting or layout of the dwellings. However, the dwellings would be

located between the 57dBA – 63dBA noise contours, where dwellings are acceptable in principle from a noise perspective, but as they would be potentially be exposed to aircraft noise, specific measures to protect the dwellings would be needed and this would be submitted via condition 34.

- 5.59 With regard to **noise from the railway and Goods Yard**, this aspect was considered as part of the s73 application and the ES and a combination of mitigation measures are required. This includes the 100m noise exclusion zone/buffer where dwellings are not permitted and, within the residential parcel itself, the erection of a non-residential building to act as a barrier block to screen the dwellings from the industrial noise is required. Other measures necessary relate to the design, internal layout and siting of the new dwellings, together with sound insulation measures, and where necessary appropriate mechanical ventilation.
- 5.60 The dwellings on 2B are located outside of the 100m exclusion zone and the non-residential building which is to be the noise barrier along the western part of the site is formed by the commercial employment building. This was shown as such in the original Masterplan and so is part of the approved layout for the development in this part of Forge Wood. The erection of the commercial employment building has thus always formed part of the noise mitigation proposals that are required in this location, as otherwise residential development here would be unacceptable on environmental grounds.
- 5.61 Previously (April 2016) an application for the employment building had not been submitted and so the concern was that it could not be demonstrated that the submitted residential layout for 2B was acceptable from a noise point of view as details of the noise mitigation proposals were unknown.
- 5.62 Now details of the employment building are before the Local Planning Authority and the associated Reserved Matters application (CR/2016/0858/ARM) is considered elsewhere on this agenda. A decision on the details of that building will be made as part of that application, but in relation to the considerations for the Committee for this residential sub phase of 2B, the building meets the desired criteria in terms of its position, length, height and mass, in order to provide the effective noise mitigation and would safeguard future residents.
- 5.63 In addition, arising from the noise modelling undertaken for the s73 application and the ES, a requirement for further physical mitigation for phase 2B was identified to be provided within the layout of 2B itself. These are now incorporated into the revised application proposals in the form of a three storey block of flats to form a supplementary barrier at the southern end of the site (Block 7). In addition a 2 pairs of semi-detached dwellings have been increased in height to 3 storey - plots 113 - 116
- 5.64 Block 7 has been specifically designed for this sub phase, in terms of its position and footprint, scale and massing and the internal layout of the flats. The flats will be dual aspect, but with bedrooms facing east, away from the railway line and Goods Yard. Living rooms would face west, but this is considered to be a satisfactory arrangement as the specific noise issues arise during night time hours, when other background noise levels are lower and the rail and industrial noise sources would be more apparent. In addition, the flats would benefit from mechanical ventilation. There are 2 flats where the bedrooms cannot be positioned facing east, and in these specific instances, the windows would be sealed. This is shown on the amended plans. The houses on plots 113 – 116 have also been specifically designed for this sub phase, at 3 storeys high with bedrooms facing to the east.
- 5.65 The Environmental Health Officer has commented that ..

' ... a number of discussions with the applicant has resolved all outstanding issues with regards the layout and design of Phase 2B. This phase is totally reliant on the employment building to protect it for noise from the Goods Yard and the railway line. However the properties at the southern end of the development are not protected by noise from some of the night operations of the goods yard and therefore Block 7 at the southernmost end of the phase is acting as a barrier block to help protect residents to the north from those activities. The flats in this block have their bedroom windows on the protected side of the block, away from the noise, so protecting the future occupants from the noise of the goods yard. Except for flats TW 164 -169 where one of the bedrooms in each flat cannot be protected by either layout or design. These will have to have sealed windows, as the future occupants could

suffer a Statutory Noise Nuisance from the Goods yard and the Council may then be force to take formal action against the Goods Yard. I would like to recommend a condition that ensures that at no point in the future that these windows are replaced with standard windows.

The buildings labelled PC32 just to the north of Block 7 are also exposed to the night time noise from the Goods Yard. They also act as barrier to the dwellings behind them and therefore the bedrooms are to the rear of the buildings. However there is a study on the first floor and I would like to recommend a condition to prevent the future use of this room as a bedroom. The reason being that the occupant could suffer a Statutory Noise Nuisance from the Goods Yard and the Council may then be force to take formal action against the Goods Yard.

The whole of Phase 2B the will still be affected by noise from the proposed wide-spaced second runway at Gatwick Airport, as it lies between the predicted 57dB and 63dB contours. The buildings will therefore require additional insulation and ventilation which has been agreed with the applicant as a part of discharging Condition 34 of the outline permission'.

- 5.66 The suggested condition for the flats in Block 7 is set out at the end of this report (condition 14) However, with regard to that suggested for the houses at plots 113 – 116, which would prevent the study being used as a bedroom, officers are concerned at the potential for the study to be readily used as a bedroom given its size and layout. Officers are therefore of the view that such a condition would be unenforceable. It is considered that a better approach would be to redesign the internal layout of the 1st floor, by placing the bathroom to the front and the study to the side or rear. This physical layout would therefore be less likely to be changed. Amended plans have been requested in this regard and an update will be given at the meeting.
- 5.67 In addition to these specific physical noise mitigations measures (the employment building, the flat barrier block and the 4 houses), noise mitigation measures are required for the dwellings themselves, which include the internal layout of the new dwellings, together with sound insulation measures, and where necessary appropriate mechanical ventilation. The outline planning permission under condition 34 requires a scheme to demonstrate the dwellings on a phase or sub phase have sufficient protection against aircraft, railway, road and industrial noise sources. The applicants have advised that this scheme is to be submitted shortly in association with this residential reserved matters application and is to include a construction/phasing sequence to ensure that the necessary mitigation is in place prior to occupation of the dwellings.
- 5.68 As the provision of the employment building, the flat barrier block and the 4 houses are so crucial to the residential environment for the dwellings on 2B, (and 2C) it is considered that a s106 legal agreement is required. This would link these separate commercial and residential applications together and restrict occupation of the dwellings until the employment building and barrier blocks have been constructed to a standard that provides the appropriate level of noise mitigation.

Sustainable design considerations

- 5.69 In respect of condition 23 this requires an assessment of the buildings to meet sustainable design and construction measures offsetting 10% of predicted carbon emissions (energy) through a combination of sustainable design and construction or on-site renewable energy. The sustainable construction or 'fabric first' approach would have no impact on the exterior of the buildings as designed however, the introduction of renewables most likely PV panels would have a visual impact on the design of the dwellings and it is proposed that in such circumstances details of any PV panels to be installed is controlled via a condition to safeguard the visual quality of the development.

Impact on ecology, existing trees / landscaping and ancient woodland

- 5.70 The Ecological report submitted with this application has concluded that the habitats within phase 2b are considered to be of some ecological value however there are habitats of comparatively greater value in the wider site area (i.e. Woodlands and Gatwick Stream to the east and west of the site). The site has been regularly surveyed for protected species to ensure existing habitats are protected and/or suitable mitigation is provided.

- 5.71 None of the trees within and adjacent to the site were recorded as having potential to support roosting bats. The proposed felling of a small number of immature and semi-mature trees on the site was not considered to have a significant impact on the long-term foraging opportunities for bats. Importantly the new Sustainable Urban Drainage System including the swales with the associated planting and habitats will provide further enhancement for bats foraging opportunities as a suitable potential mitigation system.
- 5.72 The majority of the application site comprises habitats that are not suitable for common reptiles however a low number of Grass Snakes have been recorded on the site. Natural England's standing advice for reptiles has been considered in relation to the grass snakes, the loss of this habitat was accepted with the grant of outline permission and the proposed measures in the ecology report are for relocation of any species to areas within the wider site unaffected by development. This approach along with the precautions recommended during construction are considered adequate.
- 5.73 Regarding the presence of Great Crested Newts (GCN) within the site and wider area, a small population has been recorded within ponds P6 and P9b and ditch P8. The nearest waterbody is approximately 10m west of the application site. A total of four new ponds will be created in order to mitigate for the loss of ponds P6 and P9b. Therefore there will be an overall net gain in pond numbers post-development, as per Natural England's guidance. This mitigation was considered suitable in relation to the protection of the GCN population within the wider site area.
- 5.74 The advice received from the Ecology consultant concluded there are no biodiversity conservation grounds for refusal, subject to full implementation of the recommendations contained in the submitted Ecology report.
- 5.75 The layout for Phase 2B is buffered by the woodland which provides a separation distance of 75m to the designated ancient woodland area. There were no objections raised by the Arboricultural officer to the recommendations set out in the Arboricultural report subject to tree protection measures being in place during construction in line with the recommendations.
- 5.76 Policy CH6 states that where a development would result in a loss of trees, applicants must mitigate this loss through replacement or new tree planting in an appropriate location. The applicant is proposing to remove two trees of moderate (Cat B) quality and four trees of low (Cat C) quality. The loss of these trees is required to install the spine road and SUDS which bisect the application site. The like-for-like replacement trees on the Forge Wood development is not a viable solution due to the Greenfield nature of the site. The proposed tree planting schedule is considered acceptable and in general compliance with policy CH6, the proposed soft landscaping drawings show ample planting of semi-mature specimens around the development which will improve the street scene and compensate for this minimal loss of existing trees.
- 5.77 In conclusion, the principle of this loss of countryside and habitat was accepted by the outline permission and ecology study, the design and layout of the dwellings is considered to provide adequate mitigation for the protected species and safeguards are appropriate for the adjoining Ancient Woodland and retained trees /hedges.

Drainage

Surface Water

- 5.78 The drainage strategy submitted for the site pursuant to condition 16 shows the sewer alignments would be under the main roads and this is shown in the plans approved for the phase 2 spine roads under CR/2015/0628/ARM along with the agreed positioning of the swales as indicated on site wide strategy.
- 5.79 The Phase 2B application was initially submitted in October 2015 in parallel with phase 2A and the spine road applications with an identical drainage strategy supplied for each application. In order to determine the spine road application, the drainage strategy for phase 2 was subject to further

discussion following the initial concerns raised by the Environment Agency and Drainage officer. An amended document was prepared and the overall drainage strategy was agreed for phase 2 as part of the spine road application. This agreed document was then submitted for phase 2B in March 2016. Phase 2B drains towards Swale 3 to the east of the site, this feature holding the water until its release into the Gatwick Stream.

- 5.80 Since that time the drainage strategy has been further amended to reflect the changes required and the revisions to the layout. The Environment Agency have however now objected to the approach taken as they consider that a Flood Risk Assessment is required. This objection has been put to the applicants who have replied that the outline planning application included a detailed Flood Risk Assessment and there is a site wide drainage strategy which is covered by condition 15. As this is a reserved matters application, it is not considered that a FRA is required at this latter stage. In addition, this reserved matters application is accompanied by a phase specific drainage strategy, which accords with the site wide strategy. This response has been relayed to the EA, but at the time of writing this report no further comments have been received. The CBC Drainage Officer comments that he has reviewed the process adopted by the developer and that this submission appears adequate and acceptable as a means of discharging the original drainage related conditions
- 5.81 The future long term maintenance and management of the drainage features and this is included in the site wide drainage strategy under condition 16. The approach is that the drainage would be the responsibility of a private management company and finalised details of the arrangements and financial safeguards have been submitted for this condition.

Foul drainage

- 5.82 Thames Water has consistently commented that the existing waste water infrastructure is unable to accommodate the needs of the development and have recommended that a 'Grampian Style' condition be imposed requiring an on and off-site drainage strategy for the proposed works. It is not appropriate to impose a condition relating to strategic infrastructure to a reserved matter application as such issues should have been conditioned at outline stage. The appeal Inspector did not impose a specific condition in respect of foul water drainage. The applicants are in any event required to make satisfactory provision for waste water and will have to reach agreement with Thames Water. This can be achieved outside of this reserved matters application.
- 5.83 The applicants have previously confirmed that they already have a foul drainage strategy and agreement with Thames Water which covers the whole development. More recently they have also advised that that under S106 of the Water Industry Act (WIA), Thames Water have previously granted the right to connect to the public foul sewer network in two locations, namely Radford Rd and the junction of Balcombe Rd/Steers Lane. Subsequent to that agreed position, GTC, the appointed drainage adopting body for this development have developed matters further with Thames Water including a potential new sewer to the sewage treatment works, all under the WIA.
- 5.84 Thames Water have subsequently confirmed that discussions are ongoing with the developers to agree a deliverable solution, with the preferred option being the construction of a rising main to discharge flows to Crawley Sewage Treatment Works.

CIL

- 5.85 The Forge Wood development is CIL liable, but as set out in the Committee report for CR/2015/0552/NCC (meeting date 8th November 2016), liability is only triggered and be chargeable where additional floorspace is approved over and above that envisaged with the original outline planning permission. To address this point condition 4 on the revised outline permission sets a maximum floorspace figure for the Forge Wood development as a whole. A CIL informative for the decision notice for this sub phase would therefore be required setting out the procedure.

CONCLUSIONS:-

- 6.1 This application for Phase 2B at Forge Wood as amended is considered to have addressed the design parameters and relevant conditions imposed on the outline planning permission and is considered to be in substantial accordance with the Masterplan and Design Statement.
- 6.2 The design approach and layout is considered to follow the approach established in earlier phases in respect of house types / designs and would allow a continuation of the cohesive development pattern and distinctive character to Forge Wood. Some points of design detail remain outstanding and it is considered that these could be adequately addressed via condition, or amended plans. Members will be updated at the meeting, where necessary.
- 6.3 The dwellings are considered to comply with the adopted space standards, with generally adequate gardens in terms of size and an appropriate level of parking provision in line with adopted standards. The layout while tight in places is, in terms of its design, landscaping and materials considered to provide an attractive and legible layout and safeguards the privacy and amenities of future occupants. The layout and design is considered to appropriately address the environmental safeguards required through outline conditions in terms of ecology and drainage.
- 6.4 The key issue has been the acceptability of the residential layout proposed in relation to noise and the relationship with the activities at the Goods Yard. The application for the employment building has now been submitted and the precise details are included elsewhere in the agenda for the Committee to consider in parallel with this application. However, in overall terms of its relationship to this residential phase, the employment building meets the desired criteria in terms of its position, length, height and mass, in order to provide the effective noise mitigation and would safeguard future residents. In addition, the amended plans for Phase 2B now include a flat barrier block and 4 houses to provide further noise mitigation measures within the parcel itself.
- 6.5 As the employment building is so crucial to the delivery of the residential parcels, a s106 agreement is needed to link these separate applications together and to ensure that the employment building is constructed so that it provides the appropriate noise mitigation prior to occupation of the houses and flats. The s106 is to include the following obligations:
- To restrict occupation of the flat barrier blocks unless and until the employment building has been substantially completed

and

 - To restrict occupation of any dwelling (apart from the flat barrier blocks) unless and until the employment building and the flat barrier block for that sub phase have been substantially completed

RECOMMENDATION RE: CR/2015/0718/ARM

The recommendation is to **APPROVE** this reserved matters application, subject to completion of a s106 Agreement as set out in paragraph 6.5, the receipt of amended plans for the bin store for block 2, the floor plans for plots 113 – 116 and the garden layout for flats 164 – 166; and the imposition of the following conditions and informatives:

- 1 The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter.
REASON: For the avoidance of doubt and in the interests of proper planning.
2. Notwithstanding the elevational details provided no works comprising the erection of house types NA20, NA32, NB32 ,NA22 and PC32 shall commence until construction details of the roof verges and eaves to be used in those dwellings hereby approved have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.
REASON: To control the development in detail and to ensure a high quality development in the neighbourhood in with policy CH2 of the Crawley Borough Local Plan 2015-2030.
- 3 Provision shall be made for high speed broadband to serve all dwellings on the development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: To ensure delivery of high quality communications in accordance with Policy IN2 of the Crawley Borough Local Plan 2015-2030.
- 4 Provision shall be made for combined aerial facilities to serve all flat development in accordance with details to be submitted to and agreed in writing by the Local Planning Authority.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
- 5 Before the properties approved in this phase are occupied, details of the design and location of lighting to be provided in the forecourt and parking areas shall be submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the agreed details.
REASON: To safeguard the appearance of the development and the amenities of the area in accordance with Policies GD2 and CH3 of the Crawley Borough Local Plan 2015 -2030.
- 6 Notwithstanding the submitted details and prior to first occupation of the residential flats which they are to serve, details of the refuse stores and secure cycle stores for the flats shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the refuse stores and cycle stores for the houses and flats shall be constructed in accordance with the approved details and operational prior to the first occupation of the flats for which they are intended to serve.
REASON: To safeguard the appearance of the development and ensure the operational requirements of the development are met in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 -2030.
- 7 No solar panels or renewables which may be required pursuant to the discharge of condition 23 shall be installed unless and until full details of their design and location are submitted to and agreed by the Local Planning Authority in writing. The works shall thereafter be implemented in accordance with the agreed details.
REASON: To control the design of the development in detail in accordance with GD3 of the Crawley Borough Local Plan 2015 - 2030
- 8 No development, including site works of any description shall take place on the site unless and until all the trees/bushes/hedges to be retained on the site have been protected in accordance with the tree protection plan 7827/2B/02 and in accordance with measures in the submitted Arboricultural method statement 7827/Phase2B/so. Within the areas thereby 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 roots with a diameter of 25mm or more shall be left un-severed
REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

- 9 The construction of the development shall be undertaken in accordance with the safeguards detailed within the submitted Ecological Assessment '4039.EcoAss.dv2'- Phase 2B Residential (September 2015) provided by Ecology Solutions.

REASON: To ensure that the ecology of the site is protected and enhanced in accordance with policy ENV2 of the Crawley Borough Local Plan 2015-2030 and Para 118 of the NPPF 2012.

- 10 All landscaping works shall be carried out in accordance with the approved soft landscaping specification scheme (667-187-C; 667-188-C; 667-189-C). No alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and because the scheme has been designed to mitigate bird hazard and avoid endangering the safe movements off aircraft and the operation of Gatwick Airport through the attraction of birds.

- 11 All planting, seeding or turfing comprised in the approved details of landscaping within Phase 2B 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.

- 12 The dwellings hereby approved shall not be occupied until the SUDS drainage measures for the catchment area in which phase 2B is situated have been fully implemented in accordance with the details agreed under CR/2015/0628/ARM and this Reserved Matters application.

REASON: To ensure that the development is satisfactorily drained in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.

- 13 Details of the design and location of external flues and gas pipes to be provided to serve the dwellings (including flats/apartments) shall be submitted to and approved in writing by the Local Planning Authority, and the external flues and gas pipes shall thereafter be implemented in accordance with the agreed details before first occupation.

REASON: To control the design of the development in detail and to ensure a satisfactory visual appearance in the interests of visual amenity in accordance with CH3 of the Crawley Borough Local Plan 2015 – 2030.

- 14 The following bedroom windows on the residential flats in block 7 shall be sealed shut at all times. No additional openings, doors or windows shall be installed unless permission is granted by the Local Planning Authority pursuant to an application for that purpose

Plot 164 north elevation
Plot 165 north elevation
Plot 166 north elevation
Plot 167 south elevation
Plot 168 south elevation
Plot 169 south elevation

REASON: In the interests of amenity and the noise environment of the locality in accordance with policy CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030

INFORMATIVES

1. 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.
2. 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/)
3. The Gatwick Stream is a designated main river. The prior written consent of the Environment Agency is required under Section 109 Water Resources Act 1991 for any works in, over or under the change of the watercourse or on the banks within eight metres of the top off the bank. Any new outfall structure to the Gatwick Stream would require the Environment Agencies prior Consent.
4. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. The development should demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be direct to the Risk Management Team <tel:02035779483> or email wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality
5. The applicant's attention is drawn to the consultation responses from WSCC Highways, including that dated 10th September 2018 regarding shared surfaces.

NPPF Statement

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

- Providing advice through pre-application discussions/correspondence.
- Liaising with consultees/respondents/applicant/agent and discussing the proposal where considered appropriate 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.



NES CRAWLEY - SITE WIDE PLAN