

REFERENCE NO: CR/2017/0519/FUL

LOCATION: [THE IMPERIAL, BROADFIELD BARTON, BROADFIELD, CRAWLEY](#)
WARD: Broadfield North
PROPOSAL: DEMOLITION OF THE EXISTING PUBLIC HOUSE AND ASSOCIATED FLAT AND THE ERECTION OF A FIVE STOREY MIXED USE DEVELOPMENT CONSISTING OF 7 X ONE BEDROOM AND 12 X TWO BEDROOM FLATS, 1 X DRINKING ESTABLISHMENT (A4 USE) AND 2 X RETAIL UNITS (A1 USE), WITH LOWER GROUND FLOOR PARKING (AMENDED DESCRIPTION AND PLANS)

TARGET DECISION DATE: 19 September 2017

CASE OFFICER: Mr M. Robinson

APPLICANTS NAME: Metropol Homes Limited
AGENTS NAME: Appleby Architects

PLANS & DRAWINGS CONSIDERED:

15166 001 P1 Site Location Plan
15166 002 P1 Existing & Proposed Block Plans
15166 003 P1 Existing Elevations
15166 004 P1 Demolition Plan
15166 005 P3 - Proposed Ground Floor Plans
15166 006 P2 - Proposed First & Second Floor Plans
15166 007 P2 - Proposed Third Floor Plan
15166 008 P2 - Proposed Front & Rear Elevations
15166 009 P3 - Proposed Side Elevations
15166 010 P3 - Proposed Sections
15166 011 P1 Site Survey
15166 012 P1 Proposed East Elevation

ADDENDUM REPORT

REASON FOR REPORTING TO COMMITTEE:-

The application is being returned to the Committee for determination because the S106 Legal Agreement was not completed within the timescale of 30th September 2018 that was required by the resolution of the Planning Committee on 30th July 2018. The S106 agreement was finally completed on 30th October 2018. The application is therefore in breach of the resolution, but as the application has not yet been refused and the S106 agreement has now been successfully completed, it is considered that it is appropriate to re-present this to the Committee to vary the resolution to permit the issuing of the planning permission.

This planning application has twice previously been considered by the Planning Committee and resolved to be permitted subject to the completion of the s106 agreement. Both of the previous reports from are appended to this report.

No additional representations have been received.

The adoption of the NPPF 2018 was addressed by the officers at the Planning Committee of 30th July 2018 and there are not considered to be any other material changes that would adversely impact upon the resolution previously taken.

There is now a completed S106 agreement in place and the recommendation therefore is to permit in accordance with the resolution of 30th July 2018.

RECOMMENDATION RE: CR/2017/0519/FUL

To PERMIT subject to the conditions as set out in the earlier report for the 9th October 2017 Planning Committee (as attached).

REPORT CONSIDERED AT 30 JULY 2018 COMMITTEE

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 30 July 2018
REPORT NO: PES/283(a)

APPENDIX A

REFERENCE NO: CR/2017/0519/FUL

LOCATION: [THE IMPERIAL, BROADFIELD BARTON, BROADFIELD, CRAWLEY](#)
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PROPOSAL: DEMOLITION OF THE EXISTING PUBLIC HOUSE AND ASSOCIATED FLAT AND THE ERECTION OF A FIVE STOREY MIXED USE DEVELOPMENT CONSISTING OF 7 X ONE BEDROOM AND 12 X TWO BEDROOM FLATS, 1 X DRINKING ESTABLISHMENT (A4 USE) AND 2 X RETAIL UNITS (A1 USE), WITH LOWER GROUND FLOOR PARKING (AMENDED DESCRIPTION AND PLANS)

TARGET DECISION DATE: 19 September 2017

CASE OFFICER: Mr M. Robinson

APPLICANTS NAME: Metropol Homes Limited
AGENTS NAME: Appleby Architects

PLANS & DRAWINGS CONSIDERED:

19/06/2017, 15166 001 P1 Site Location Plan
19/06/2017, 15166 002 P1 Existing & Proposed Block Plans
19/06/2017, 15166 003 P1 Existing Elevations
19/06/2017, 15166 004 P1 Demolition Plan
27/07/2017, 15166 005 P3 - Proposed Ground Floor Plans
27/07/2017, 15166 006 P2 - Proposed First & Second Floor Plans
27/07/2017, 15166 007 P2 - Proposed Third Floor Plan
27/07/2017, 15166 008 P2 - Proposed Front & Rear Elevations
27/07/2017, 15166 009 P3 - Proposed Side Elevations
27/07/2017, 15166 010 P3 - Proposed Sections
19/06/2017, 15166 011 P1 Site Survey
25/09/2017, 15166 012 P1 Proposed East Elevation

REASON FOR REPORTING TO COMMITTEE:-

- 1.1 This application was originally considered by the Planning Committee on 9th October 2017 and it was resolved that it should be permitted subject to the completion of a S106 agreement. Negotiations regarding the S106 agreement have been on-going and within this time an additional representation has been received. The representation has raised a new issue not previously assessed within the officer report or by the Planning Committee. It does need to be considered prior to a decision being issued on this planning application. This report therefore only seeks to address the new issue.
- 1.2 There have not been any other material changes to issues since the resolution was originally taken by the Planning Committee on 9th October 2017. This report is therefore to be read in conjunction with the original report from 9th October 2017 which is appended to this document.

PLANNING CONSIDERATIONS:-

- 2.1 The new representation has been received from a nearby landowner objecting to the proposal on the grounds that it would not be comprehensive development and would prejudice the potential development of adjoining land. The development would therefore be contrary to policy CH4 of the Crawley Borough Local Plan 2015-2030.
- 2.2 Policy CH4: Comprehensive development and Efficient Use of Land, states that “*Development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area.*”
- 2.3 The objector’s comments are made in relation to the potential future development of the neighbouring petrol station site to the west/north-west. The adjacent site is not included within the Local Plan as an identified development site, and no other details have been provided of its future development potential. Apart from the objection received the site has not been promoted as a development site as a part of the Local Plan and at this time it is not considered that there is evidence that there is a reasonable prospect of it being developed.
- 2.4 The petrol station site is separated from the application site by a footpath, and the impact of the petrol station upon the proposed development of this application site was considered in para 5.22 of the original Planning Committee report.
- 2.5 The development would result in a change in the relationship between the two respective sites and any future potential development of the petrol station site will need to take into account the development on The Imperial site. There would be a number of habitable room windows serving the flats in the proposed development that would face the petrol station site. However a number of the windows of the flats closest to this nearby site would serve rooms with dual aspect, or have an outlook across outdoor amenity areas or would be within units that would have windows that would not directly face the site. Development on the neighbouring site could therefore potentially be designed to take into account the facing windows and outdoor amenity areas serving these flats.
- 2.6 It is therefore considered that the proposal uses the application site efficiently, whilst not unduly restricting the unknown development potential of adjoining land. It is not therefore considered that the development would prejudice proper planning, and neither is there any phasing of development identified or supported within the wider area around this site.
- 2.7 It is therefore considered that the development does not conflict with policy CH4 of the Local Plan.

CONCLUSIONS:-

- 3.1 The green infrastructure, affordable housing and replacement public house requirements to be provided through the S106 Legal Agreement as set out in the previous Planning Committee Report still apply, and it is therefore recommended that a resolution is taken to permit this application subject to the completion of the S106 Agreement. If, however the S106 Agreement is not complete within 2 months of the date of this resolution (ie 30th September 2018), it is recommended that the application be refused for the following reason:

An agreement is not in place to secure the appropriate infrastructure provisions, the retention of community facilities and affordable housing. The development is therefore contrary to policies CH1, IN1 and H4 of the Crawley Borough Local Plan 2015-2030 and the emerging Affordable Housing SPD and the adopted Green Infrastructure SPD.

RECOMMENDATION RE: CR/2017/0519/FUL

To **PERMIT** subject to the conditions as set out in the earlier report to the 9th October 2017 Planning Committee (as attached) and the completion of a S106 Legal Agreement to ensure the long term viability of a public house on the site, replacement and additional tree planting and the provision of affordable housing.

If a Legal Agreement is not in place by 30th September 2018 then the application be refused for the following reason:

An agreement is not in place to secure the appropriate infrastructure provisions, the retention of community facilities and affordable housing. The development is therefore contrary to policies CH1, IN1 and H4 of the Crawley Borough Local Plan 2015-2030 and the emerging Affordable Housing SPD and the adopted Green Infrastructure SPD.

REPORT CONSIDERED AT 9TH OCTOBER 2017 COMMITTEE

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 9 October 2017
REPORT NO: PES/240(d)

APPENDIX B

REFERENCE NO: CR/2017/0519/FUL

LOCATION: [THE IMPERIAL, BROADFIELD BARTON, BROADFIELD, CRAWLEY](#)
WARD: Broadfield North
PROPOSAL: DEMOLITION OF THE EXISTING PUBLIC HOUSE AND ASSOCIATED FLAT AND THE ERECTION OF A FIVE STOREY MIXED USE DEVELOPMENT CONSISTING OF 7 X ONE BEDROOM AND 12 X TWO BEDROOM FLATS, 1 X DRINKING ESTABLISHMENT (A4 USE) AND 2 X RETAIL UNITS (A1 USE), WITH LOWER GROUND FLOOR PARKING (AMENDED DESCRIPTION AND PLANS)

TARGET DECISION DATE: 19 September 2017

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PLANS & DRAWINGS CONSIDERED:

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CONSULTEE NOTIFICATIONS & RESPONSES:-

- | | | |
|----|--------------------------------------|--|
| 1. | GAL - Aerodrome Safeguarding | No objection subject to the requirement for a bird hazard management plan. |
| 2. | Environment Agency | No comment required. |
| 3. | WSCC - Highways | No objection as it is not considered there would be a severe impact on the highway network. The remodelled access onto Pelham Place would be acceptable to accommodate the anticipated level of traffic. There are no known highway capacity issues and congestion issues in the area. The 19 spaces are acceptable, would comply with WSCC Parking Demand Calculator. There is unlikely to be an increase in on road parking. This is a sustainable location well served by the Broadfield Barton neighbourhood centre and bus stops. |
| 4. | National Air Traffic Services (NATS) | No objection |
| 5. | Thames Water | No objection. A condition controlling piling is recommended. |
| 6. | Sussex Building Control Partnership | No comment received. |
| 7. | Sussex Police | The amended plans addressed some of their concerns however the residential and commercial access/parking need to be kept separate and therefore the proposals could result in an increase in the opportunity for and |

8.	CBC - Drainage Officer	the fear of crime. Sussex Police do not support the application. The proposal needs to provide evidence of how it will reduce surface water run-off rates. A further update is to be made at the committee meeting.
9.	West Sussex Fire Brigade	No comment received.
10.	CBC - Housing Enabling & Development Manager	No objection to the affordable housing offer of 8 units. Requests that parking is offered on a pro-rata basis. Two units need to be low cost and offered with a 10% discount.
11.	UK Power Networks	No comment received.
12.	CBC - Environment Team	No comment received
13.	CBC - Environmental Health	Comments that there could be potential issues with noise disturbance from the pub to future residents and fumes from extracts. Conditions to restrict the hours and noise generating activities are therefore recommended as well as requiring additional noise insulation.
14.	Cycle Forum	Cycle parking should be provided for 31 spaces. There should also be 3 visitor cycle parking spaces. The cycle parking could be more intensively provided in the proposed space.
15.	CBC - Refuse & Recycling Team	Agreed that the amended layout would be acceptable subject to ensuing level access to the residential bin storage area.
16.	CBC - FP - Energy Efficiency & Sustainability	No objection subject to a condition to ensure a suitable level of sustainability is achieved for the development.
17.	CBC - FP - Retail & Employment	No objection. The provision of a replacement pub will comply with policies CH1 and IN1 of the Local Plan seeking to safeguard community facilities. The commercial floor-space in terms of layout and quantity is considered appropriate to a neighbourhood centre, and the proposal is in principle therefore considered to comply with policy EC7 of the Local Plan.
18.	WSCC - Surface Water Drainage (SWD)	No objection.
19.	CBC - FP - Housing	No objection in principle. The site would provide a windfall to the level of housing provision with 40% affordable being provided.
20..	CBC - Planning Arboricultural Officer	Comments that the proposals will result in the loss of the oak tree adjacent to the development site to the west. The tree has particularly strong amenity and although part of a group it is the dominant member with the highest level of visibility. Its loss would be detrimental to the green amenity of the area. The loss of the trees in service yard is not objected to.

NEIGHBOUR NOTIFICATIONS:-

This is a “major” application and in accordance with the Council’s protocols has been advertised by site notices erected around the site and by press advert.

RESPONSES RECEIVED:-

One representation has been received objecting to the proposal on the following grounds:

- No more over-priced small flats when good cheap family homes needed with gardens.
- Loss of pub as community facility
- A supermarket would be better on the site.

One representation has been received asking the following questions:

- How will underground parking help prevent crime and antisocial behaviour.
- What retailers will there be?

REASON FOR REPORTING TO COMMITTEE:-

The proposal is a “major” application.

THE APPLICATION SITE:-

- 1.1 Located on the north side of Broadfield Barton at its western end adjacent to the bus-stops, the site is currently occupied by The Imperial public house. This is effectively a three storey building with service yard opening onto Pelham Place to the north. The ground floor is level with the shopping parade to the south, and there is a flat above. The basement level opens onto the service yard and is not visible from the front/south. There is a significant drop in levels of approximately 4m between the front of the site and the rear access onto Pelham Place. The building itself when viewed from Broadfield Barton has a number of projecting ground floor rendered bays providing the pub façade. The 1st floor flat is situated within the roof-space. The building was erected in the 1970's.
- 1.2 To the east is the side elevation of Poundland, a large primarily brick façade with little decoration/interest. To the south facing the site are the three storey buildings of Broadfield Barton, comprising ground floor shops/commercial uses with flats and offices above on the upper two floors. To the north-west are the bus-stops for the parade/neighbourhood centre. To the west are a number of mature trees in an area of a public amenity space that slopes down to the north. There is an access from Pelham Place to Broadfield Barton along the north-western boundary of the site separating it from a petrol station to the west. To the north of Pelham Place are the residential units in former units 1-14 Pelham Court Business Centre and the side facing elevation of commercial unit 18 Pelham Court Business Centre.

THE PROPOSED DEVELOPMENT:-

- 2.1 This planning application seeks permission to demolish the existing public house and flat on site and erect a 5 storey building comprising:
 - 2 x shop (A1 use class) units,
 - 1 x drinking establishment (public house) (A4 use class) unit,
 - 7 x one bedroom flats
 - 12 x two bedroom flats
 - Individual and communal outdoor amenity space
 - 21 x parking spaces
 - 31 cycle parking spaces
 - Commercial and residential bin stores.
- 2.2 The building would be five storeys when viewed from Pelham Place to the north and four storeys when viewed from the south. It would cover most of the site and the trees in the north east corner of the site would be lost. The main material proposed is brick with extensive glazing and balconies to provide private outdoor amenity space. When viewed from the south, excepting the three storey projection on the south-west corner of the building would step up away from the ground floor. The ground floor would be aligned with the front of the Poundland building to the east.
- 2.3 The top floor would be set away from the main west elevation by 5.5m and it is proposed to be finished in a dark grey panel system, with opaque glass privacy screens.

PLANNING HISTORY:-

- 3.1 In 1976 outline permission was granted for housing, service industry, youth centre, public house, library and community centre. Ref. CR/46/76
- 3.2 In 1977 planning permission was granted for detailed application for the public house. Ref CR/298/77.
- 3.3 In 1977 planning permission was also granted for the erection of a canopy over external terrace and the use of the terrace for outside drinking. Ref. CR/298/77
- 3.4 In 1987 planning permission was refused and an appeal dismissed for the erection of extension to form entrance and control area for night club at lower ground floor Ref. CR/555/1987.
- 3.5 In 1989 planning permission was granted for the erection of new entrance lobby and window alterations ref. CR/634/1989.
- 3.6 In 2016 a planning application for a change of use of service yard to manual car wash was withdrawn before determination. Ref. CR/2016/0739/FUL.

PLANNING POLICY:-

The National Planning Policy Framework (2012):

- 4.1 The National Planning Policy Framework (NPPF) was published in March 2012 and introduced the presumption in favour of sustainable development in approving developments that accord with the development plan without delay or where the development plan is absent, silent or relevant policies are out of date, unless there would be significant adverse impacts or it would be contrary to the policies in the NPPF.
- 4.2 Part 4 applies to promoting sustainable transport and emphasises that development should only be refused on transport grounds where the residual cumulative impacts of development are severe. It also supports the use of travel plans, balancing land uses to minimise journey lengths and sets out considerations to take into account in relation to parking standards.
- 4.3 Part 6 applies specifically to delivering homes and seeks to significantly boost the supply of housing. Housing applications should be considered in the context of the presumption in favour of sustainable development and are to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.
- 4.4 Part 7 emphasises the importance of good design to achieve high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes. Design codes can be used to achieve high quality outcomes, and decisions should promote and reinforce local distinctiveness without imposing forms, styles or particular tastes on development.
- 4.5 Part 8 emphasises the need to facilitate social interaction and create healthy, inclusive communities including strong neighbourhood centres, safe and accessible environments where crime and disorder and fear do not undermine the quality of life. It includes planning positively for community facilities such as public houses and guard against the loss of valued facilities and services.
- 4.6 Part 10 includes a requirement to ensure there is no increase in flood risk and Part 11 aims to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development. Conditions can be used to mitigate impacts from noise.

National Planning Policy Guidance

- 4.7 Includes a section providing guidance on how planning can manage potential noise impacts from new development, including the measures to mitigate it such as through engineering, layout, the use of planning conditions (restricting activities, at certain times, or specifying permissible noise levels), and suitable noise insulation.

The Crawley Borough Local Plan 2015-2030

- 4.8 The plan was adopted in December 2015 and the following policies are of relevance:-
- 4.9 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.
- 4.10 Policy CH1 seeks to protect and enhance the neighbourhood principle in the town including appropriate development in sustainable locations, retaining neighbourhood centres as the focal point for local communities and encouraging development unless it would result in the loss of local facilities and services. (This includes public houses as community facilities).
- 4.11 Policy CH2 'Principles of Good Urban Design' seeks to assist in the creation, retention or enhancement of successful places in Crawley. In particular it seeks to reinforce locally distinctive patterns of development, create continuous frontages onto streets, and create public spaces and routes that are attractive whilst integrating land uses and transport networks.
- 4.12 Policy CH3 'Normal Requirements of All New Development' states that all proposals should be based on a thorough understanding of the significance and distinctiveness of the site, be of a high quality in terms of its design, sympathetic to its surroundings, provide a good standard of amenity for future occupants, retain trees which contribute positively to the area, meets its own operational requirements and demonstrate that it addresses the principles included within both 'Secure by Design' and 'Building for Life' criteria.
- 4.13 Policy CH5 'Standards for All New Dwellings' requires development to accord with the Nationally Described Space Standards.
- 4.14 Policy CH6 'Tree Planting and Replacement Standards' requires landscape proposals for residential development to contribute to the character and appearance of the town by including at least one new tree for each new dwelling. In addition, any trees lost as a result of the development must be replaced or mitigated. Where possible the trees are expected to be provided on site however, where this is not feasible commuted sums will be sought in lieu on a per tree basis.
- 4.15 Policy CH8 identifies important views which should be protected. These views are divided into two categories, linear contained and long distance views. Of particular relevance to this site are the linear views north along Brighton Road from A23/A264 junction and the long distance view from Tilgate Park.
- 4.16 Policy EC4 includes a requirement for development proposals adjacent to residential areas to not result in adverse harm to local amenity or the function of the surrounding area.
- 4.17 Policy EC8 includes the change of use of ground floor uses and seeks to ensure that development is appropriate to the role of the neighbourhood centre in terms of scale and function, does not adversely affect the ability of the parade to cater for day to day needs of local residents, will not adversely impact upon amenity and the environment and will maintain and enhance the vitality of the parade.
- 4.18 Policy H3 states that all housing development should provide a mix of dwelling types and sizes to address local housing needs and market demand.

- 4.19 Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs. This includes working to overcome constraints wherever possible whilst ensuring against detrimental town cramming or unacceptable impacts on the planned character of the existing neighbourhoods or on residential amenity. All reasonable opportunities including brownfield site will be considered.
- 4.20 Policy H4 requires 40% affordable housing from all residential developments. In addition 10% low cost housing is required on developments for 15 or more dwellings. These targets will apply unless evidence can be provided to show that the site cannot support those requirements from a viability perspective and that the development clearly meets a demonstrable need.
- 4.21 In addition to supporting the provision of new necessary infrastructure policy IN1 seeks to protect existing infrastructure and services. This includes public houses which are community facilities. It also sets the background for implementing CIL and seeking S106 agreements to address site specific issues.
- 4.22 Policy IN2 requires all residential, employment and commercial development to be designed to be connected to high quality communications infrastructure.
- 4.23 Policy IN3 requires development to be concentrated in locations where sustainable travel patterns can be achieved.
- 4.24 Policy IN4 sets out that the appropriate amount of car and cycle parking to meet the needs of a development is assessed against the Council's car and cycle parking standards.
- 4.25 Policy ENV5 requires development to make provision for open space and recreational facilities.
- 4.26 Policy ENV6 requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes.
- 4.27 The site is within a priority area for District Energy Networks, Policy ENV7 encourages the delivery of district energy networks and associated infrastructure or low carbon energy approach for new development.
- 4.28 Policy ENV8: (Development and Flood Risk) advises that development proposals must avoid areas which area exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- 4.29 Policy ENV9 requires development to minimise its impact on water resources and promote water efficiency.
- 4.30 Policy ENV10 deals with pollution management and land contamination.
- 4.31 Policy ENV11 requires applications to be accompanied by a noise impact assessment where there is likely to be exposure to significant or unacceptable noise exposure.

Other Material Considerations:

- 4.32 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.
- 4.33 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 also sets out the car and cycle parking standards for the Borough.

- 4.34 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.
- 4.35 The draft Affordable Housing SPD June 2017 is currently out to consultation - It provides guidance on affordable housing requirements from developments including on-site provision, tenure options, design and layout, house types and sizes,

PLANNING CONSIDERATIONS:-

- 5.1 In addition to consideration of the acceptability in principle of the demolition of an existing community facility (The Imperial Public House) and its replacement by 19 flats, 2 shop units and a new drinking establishment the following are the key matters in the determination of this application:
- The impact upon visual amenity, the street scene and the character of the area;
 - The impact upon nearby occupiers amenities;
 - The acceptability of the development for future residents.
 - The impact on highways and parking;
 - The operational requirements of the site;
 - Infrastructure impacts and the provision of affordable housing;
 - Other

The Principle of the Development.

- 5.2 There is no objection in principle to additional housing and small scale retail units being provided at a neighbourhood centre or to the increased efficiency of the use of the land from its more intensive and sustainable use.
- 5.3 The public house on the site is defined as a community facility and its loss would be contrary in principle to policies CH1 and IN1 of the Crawley Borough Local Plan 2015-2030 that seek the retention of these community facilities and the protection of the operation of the neighbourhood centres. The proposal seeks to replace the existing public house with a smaller A4 use class drinking establishment on the ground floor of the new building opening out onto the pedestrianised Broadfield Barton. In principle therefore the existing public house use would be maintained and this could accord with the direction of government advice and the Councils own policies which seek to retain these facilities where they contribute to the neighbourhood or town overall, unless an equivalent replacement or improvement to services is provided or there is suitable alternative provision. As there is no other public house use within Broadfield there is no alternative provision in the area, and it is therefore necessary to retain this use on this site in these circumstances. Notwithstanding the new A4 drinking establishment would be significantly smaller than the existing building and is not therefore an equivalent replacement it would re-provide this facility.
- 5.4 There is however a concern that the planning application would allow for the demolition of the existing building and this could result in the cessation of the use. This would be contrary to the Local Plan policies if the facility is not replaced. It is therefore considered necessary to protect the public house use, both in the short term by preventing the use ceasing and the building being demolished, and in the longer term to ensure that a public house use is re-provided on site to ensure the range of facilities at Broadfield Barton is not diminished. It is therefore recommended that in order to ensure the public house use is safeguarded a condition to phase the development to ensure the replacement drinking establishment is provided as quickly as possible and a S106 legal agreement will be needed to ensure the re-provision is made.
- 5.5 It is therefore considered that the positive contribution of the additional residential units and the new retail units with the re-provision of a A4 drinking establishment (public house), (although of a smaller scale than the existing facility), would on balance accord in principle with the requirements set out in the Local Plan policies relating to neighbourhood principles, housing provision, and infrastructure provision.

The impact upon visual amenity, the street scene and the character of the area;

- 5.6 The proposal seeks to utilise the whole site to provide a building up to 5 storeys in height with flats roofs. The building would step back as it rises allowing the provision of balcony/private outdoor amenity areas on the roofs of the flat below. The taller parts of the building would be situated towards the western and southern sides of the site, but would not generally be immediately adjacent to the boundaries. There would be an open courtyard area/communal garden above the 1st floor within the centre of the site. This would have an outlook to the north/rear. The ground floor shop/pub frontage would be level with the frontage of Poundland to the east.
- 5.7 In terms of materials the main wall material is shown as either a chocolate or buff brick and there would be large glazed openings and balconies on all elevations. The top floor would be in a contrasting dark grey cladding. Windows and door frames and the balustrades to balconies would have aluminium frames finished in dark grey. There would also be the limited use of cedar infill panels and some solid dark grey panels within the fenestration.
- 5.8 When viewed from Broadfield Barton to the south the building would be 4 storeys in height, with the frontage of each floor above the ground floor set back from the floor below. There would be a three storey high element at the western corner of the southern façade that would not be set back, and this would as a consequence be more prominent than the rest of the frontage and create a feature on the corner when viewed from Broadfield Barton to the east and west..
- 5.9 When viewed from the west the building would have its maximum 5 storeys in height towards the rear/north, and the bulk of the building would be set back 4m from the elevation at its most westerly point, with the intervening part of the building being up to 2 storeys in height.
- 5.10 From the rear/north a single storey element would project from a predominantly 4 storey building, with the top floor being set further to the rear. This would be 16m wide and the remaining 7.6m of the site up to Poundland would be two storeys in height with the bulk of the rest of the building 16m behind this resulting in a the creation of a significant gap.
- 5.11 The building would have a modern contemporary design, and notwithstanding it would be overall a storey taller than the buildings in Broadfield Barton facing the site to the south, it is considered that the building would be an enhancement to the area when compared to the existing public house and its large service yard.
- 5.12 The building would result in the loss of two trees within the site, close to the northern boundary in the service yard and close to Poundland. These trees do not have significant amenity due to their location and their loss would not therefore have an adverse impact on the street scene and the character of the area.
- 5.13 The Council's Arboricultural Officer has raised a concern regarding the impact of the development on an oak outside of the site but close to the western boundary within an area of amenity land. Much of the canopy of this tree, which has significant public amenity both individually and as a part of the group of trees, would have to be reduced to allow the development to proceed. Furthermore this level of reduction would be need to be maintained in order to prevent nuisance to future occupiers, and it is considered that the viability of this tree would be severely compromised by the development. The loss of this tree is unfortunate, however, it is not considered that the impact of the loss of this single tree would outweigh the benefit of developing this site more intensively to provide 19 flats, additional shops and a replacement pub, and on this basis it is therefore considered to be acceptable.
- 5.14 To accord with policy CH6 the trees lost would need to be replaced. As there is no room for replacement planting on site, these trees will need to be sited elsewhere, and a commuted sum would therefore be required as set out in the Green Infrastructure SPD 2016. As the oak to be lost is an urban tree it is considered that the "tree in hardstanding" figure will form the basis for the replacements.

The impact upon nearby occupier's amenities;

- 5.15 There are two main areas where there would be an impact on neighbouring occupiers, comprising the facing 3 storey buildings to the south in Broadfield Barton and the dwellings formed from the recently converted commercial office units in 1-14 Pelham Court Business Centre (Orchid Court) to the north. To the east of these dwellings is the side elevation of a building still in commercial use.
- 5.16 To the south the ground floors and upper floors still appear to all be commercial and the impact of this larger building upon the occupiers of these buildings to the south would therefore be acceptable.
- 5.17 To the north the new dwellings in the previously commercial Pelham Court Business Centre would have their front windows facing the site across the busy Pelham Place, which at this point effectively becomes a service road to the rear of commercial units in Broadfield Barton. At its closest point, no. 14 Pelham Court Business Centre (Orchid Court) would be 18.5m from the single storey element of the rear elevation and 24m from the rear 4 storey part of the proposal. The impact is increased by the slight drop in levels from the application site to these dwellings provided in the former office units.
- 5.18 The outlook to the south towards the site from these new permitted development dwellings is poor as they face a petrol station and the service area and rear elevation of the current public house. Beyond the petrol station the outlook is partially softened by the amenity of the street trees. The outlook from these dwellings would be retained across the petrol station forecourt towards the trees, excepting the front outlook from no. 14 which would directly face the proposed development to the south with living and bedroom windows, with the petrol station off to the south west. The bulk and massing of the new building would have an adverse impact on the light to the front of these dwellings, but as they have no outdoor amenity space and the front is very close to the road, it is not considered that the development, even with its balcony/outdoor amenity areas, would adversely impact upon privacy. Notwithstanding the scale and location of the proposed building, the replacement of the service yard and the untidy rear elevation of The Imperial, together with the partial screening of the bulk of the blank side elevation of Poundland with the new building would in the view of your officers improve the view from these dwellings.
- 5.19 It is therefore considered that notwithstanding there would be negative impacts from the building on the occupiers of these dwellings, there would also be positive effects, and taking into account all of the impacts overall the development would not result in harm so demonstrable as to warrant a refusal on neighbour amenity grounds.

The acceptability of the development for future residents.

- 5.20 All of the proposed flats would comply in floor space terms with the Nationally Prescribed Space standards, and all living/bedrooms would have a window with an acceptable outlook. None of the flats would have windows that would directly look into neighbours flats and the general outlook to the units is outside the site. The flats would also be provided with their own outdoor amenity areas and there would also be a small communal out-door amenity area.
- 5.21 There is only one flat with a single aspect which would have an outlook over the communal amenity area towards the north across Pelham Place. This outlook would be between the side elevation of Poundland to the east and the rest of the proposed building to the west, and although this is not ideal it would not have an impact on future occupiers that would be harmful to their amenity.
- 5.22 Views to the west towards the petrol station would be poor, particularly given the illuminated advertising on the canopy, but an outlook would be provided. Views to the south towards the three storey buildings along Broadfield Barton would be into floors currently in commercial use, and it is not considered there would be significant privacy issues. As previously noted views to the west across the amenity land, would be significantly impacted by the canopy of the adjacent tree and it is accepted that the tree would not be viable given how much would have to be cut from the canopy to implement and allow the occupation of the building without branches spreading across balconies or up

to windows. Overall however, the outlook from the flats is considered to be acceptable, and there would not be significant issues relating to privacy.

- 5.23 There are concerns from the Environmental Health Department regarding the potential for noise and disturbance from the drinking establishment. In order to prevent future disturbance to residents a number of conditions are recommended including control of hours, restrictions on music and a requirement for a noise insulation scheme. Whilst this would be likely to alleviate these issues, it could curtail the operation of the public house and there are concerns that this would impact adversely its viability in the future, which could result in a loss of this community facility.

The impact on highways and parking:

- 5.24 The proposal would provide vehicular access from the rear via Pelham Place. Due to the design of the building, access to the site by larger vehicles would be restricted as they could not enter the basement car-park due to the low ceiling height. On this basis only smaller commercial vehicles could enter the site and will have to stop within the car-park on the access road as there is no parking space for these vehicles. West Sussex County Council as the highway authority has commented on the access arrangements, and were specifically asked to comment on the service/delivery vehicle access. It confirmed that it had no objection to what is proposed in terms of highway safety or capacity, but that the Local Planning Authority should ensure that the waste arrangements were acceptable. On the basis that the amendment to the development to the basement level has not been objected to by the Waste and recycling team provided there is level access so bins can be wheeled to where the dustbin lorry would halt, it is considered that the access arrangements for the development would be acceptable.
- 5.25 In terms of parking, it is proposed that 21 spaces would be provided. This would include two spaces capable of providing disabled access. The Urban Design SPD 2016 parking standard for this area is for 1.2 spaces per one bed and 1.5 spaces per two bed unit. In addition, the retail units would require one space per 20sqm and the drinking establishment (if considered under the historic A3 definition) would require 1 space per 5sqm of public area and 2 spaces per bar for staff.
- 5.26 The indicative minimum parking standard for the mix of uses proposed for the site would be:
- 7 x One bedroom units x 1.2 = 8.4
 - 12 x two bedroom units x 1.5 = 18
 - 2 x a1 retail units 300sqm /20 = 15
 - 1 x Drinking Establishment (Based on half the proposed floor area and one bar being provided) (143sqm/5) + 2 = 31
- 5.27 On this basis, the Urban Design SPD 2016 guidance implies that this mixed use development as a whole could require 72 parking spaces. This however does not take into account the context of the site. The site is located within the Broadfield neighbourhood centre at Broadfield Barton and is immediately adjacent to bus stops. The neighbourhood centre is also well served by the by the Council owned public car-park to the east. The site is therefore a highly sustainable location and visitors to the proposed shops would, as with the other commercial units in the centre, use the Council public car-park. The drinking establishment use which currently functions as a neighbourhood pub is within a relatively short walking distance of the residents of Broadfield in addition to being well served by public transport. Visitors by car can be accommodated in the neighbourhood centre public car-park to the east.
- 5.28 In relation to the residential element of the proposals, there would be (according to the Urban Design SPD 2016), an indicative minimum of 26.4 spaces required. The applicant is proposing a total of 21. This would allow for a space for each of the 19 flats with two extra indicated as parking for visitors. Given the sites sustainability and the immediate access to local facilities within the neighbourhood centre it is considered that a parking allowance of one per unit would be acceptable. This could also allow for the remaining two spaces to be used more flexibly, including potentially being retained for the drinking establishment use to assist with its long term viability. It is therefore considered that the parking proposed for the building would be acceptable.

- 5.29 The development also provided a tall room in the basement for the storage of cycles. This originally did not provide adequate storage, however the applicant has advised of an alternative cycle parking system allowing for the parking of 38 cycles and on this basis it is accepted that the development could meet is 31 cycle parking requirement and additional visitor cycle parking could be provided within this room. In addition it should be noted that many of the flats are in excess of the Nationally Prescribed Space Standards and are provided with small outdoor amenity areas/balconies, and could therefore provide individual cycle storage themselves for residents.

The operational requirements of the site;

- 5.30 The developer is proposing the provision of rooms in the basement that can accommodate residential and commercial waste separately. The Council's Waste and recycling team have also been consulted, and whilst vehicles will not be able to fully enter the site, the arrangements for collection of residential waste in the amended plans are considered acceptable. The commercial waste area would be accessed via its own separate entrance into the car-park. Only smaller vehicles would be able to collect this waste due to the restriction caused by the height of the ceiling in this part of the building. Commercial waste collection is not however a function of the Local Authority and the future occupiers would have to organise this service themselves using smaller vehicles or have a larger vehicle stopped by the rear access to the site. . The collection of waste from the site would therefore be acceptable.
- 5.31 Internally, the development has been revised to separate residential and commercial uses. The commercial uses would have their own lift from the basement to the first floor, waste storage and access corridors. As with waste collection vehicles, deliveries to the rear would have to be undertaken using smaller vehicles due to the restricted height of the ceiling, and as access to the front of the site would be restricted due to the bus-stops at its closest point to the highway to the south west. Although difficult, it is considered that the access/delivery arrangements for the drinking establishment and shops could be achieved.
- 5.32 The internal layout at the basement and ground floor levels has been altered, and the services for the respective residential and commercial uses has been separated, so that there is no need for shared staircases, corridors, lifts and storage areas. This would allow the different uses to operate independently of one another and prevent potential conflicts between future residents and the businesses. It is however accepted that due to the layout of the vehicle access and car-park that this area would at times be shared.

Infrastructure impacts and the provision of affordable housing;

- 5.33 The proposal would be liable for the CIL.
- 5.34 Three trees would be lost due to the development and their replacement off-site (there is no tree planting proposed on site), in accordance with policy CH6 of the Local Plan and the Green Infrastructure SPD will therefore be required. The oak off site to the west and Ash and Oak in the rear service yard have diameters of 40-50cm, and this would equate to a need for 12 replacement trees. In addition policy CH6 also requires the provision of at least one additional tree for each new dwelling. The net increase in dwellings proposed would be 18, there is a total requirement for 30 new trees. As they cannot be replaced on site a commuted payment will be sought as set out in the Green Infrastructure SPD 2016 at a cost of £700 per tree. The infrastructure requirement for trees would therefore be for £14000.
- 5.35 The developer has also offered to provide 8 of the flats comprising 5x one bed and 3x two bed units as affordable units. This is considered to accord with the requirements of policy H4 that seeks 40% affordable housing from all residential schemes split 70% affordable rent to 30% intermediate tenures. Policy H4 also seeks 10% of all housing development with more than 15 units to be provided as low cost housing with a discount of 10% to first time buyers, and although this has not been specifically addressed in the affordable housing statement it will be a requirement of the S106 agreement.

Other

Crime prevention

- 5.36 Sussex Police do not support the application as are concerns regarding the internal layout that had spaces shared by both the commercial and residential uses. Although a number of recommendations are made as regards crime prevention measures it considers that the development could lead to an increase in crime and the fear of crime. A condition is however recommended to ensure that security measures are provided to make the development safer.

CONCLUSIONS:-

- 6.1 The development is considered to provide acceptable accommodation for future residents, and would enhance the appearance of this end of Broadfield Barton, even with the tree that would be lost. Operationally the uses could operate within the building and there would be an acceptable level of parking for future residents. The provision of new shop units is welcomed as is the potential re-provision of a public house. Sussex Police have concerns regarding the layout as regards its impact on crime and the fear of crime
- 6.2 There is also concern that the development would result in the loss of the public house which is an important community facility for Broadfield, and the replacement floor-space within the proposed building could be subject to controls that could limit its long term viability. The loss of this community facility providing the only pub in Broadfield would be contrary to the aims of providing facilities to local residents and this would be contrary to the Local Plan. It is therefore essential that there are adequate controls to ensure that the replacement A4 drinking establishment use is re-provided and the current building is not demolished and the site left empty, and it is recommended that this will require control via a legal agreement in addition to the S106 requirements. Subject to these controls and the following conditions it is considered that the development would provide additional housing including a 40% as affordable units, and it is therefore considered that the benefits of the development would outweigh the harm and on balance it is recommended that a resolution to permit be granted subject to the completion of the S106 legal agreement.

RECOMMENDATION RE: CR/2017/0519/FUL

To permit subject to the completion of a S106 Legal Agreement to ensure the long term viability of a public house on the site, replacement and additional tree planting and the provision of affordable housing.

If a Legal Agreement is not in place by 1st December 2017 then the application be refused for the following reason:

An agreement is not in place to secure the appropriate infrastructure provisions, the retention of community facilities and affordable housing. The development is therefore contrary to policies CH1, IN1 and H4 of the Crawley Borough Local Plan 2015-2030 and the emerging Affordable Housing SPD and the adopted Green Infrastructure SPD.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. Prior to the demolition of The Imperial a phasing plan of the works to ensure the provision the A4 drinking establishment prior to the completion and occupation of the residential units shall have been submitted to and been approved in writing by the Local Planning Authority. The development shall

thereafter only be implemented in accordance with the approved phasing plan to ensure the A4 use Drinking Establishment community facility is re-provided.

REASON: To ensure the re-provision of a community facility in accordance with policies CH1 and IN1 of the Crawley Borough Local Plan 2015-2030.

4. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
5. No construction shall commence until detailed plans and particulars of the land levels and the finished floor levels of the building relative to an identified datum point have been submitted to and been approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
6. The no construction shall take place until details of the proposed surface water (and foul) drainage and means of disposal have been submitted to and approved by the Local Planning Authority and no building shall be occupied until all drainage works have been carried out in accordance with such details as approved by the Local Planning Authority.
REASON: To ensure that the proposed development is satisfactorily drained in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030.
7. No walls, roofs, windows doors or balconies shall be erected unless and until a schedule of materials and finishes and samples of such materials and finishes to be used for external walls, roofs, window frames, door frames and balconies of the proposed building have been submitted to and approved by the Local Planning Authority.
REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
8. Prior to the installation of any shopfronts, (including the drinking establishment), windows, doors and balconies detailed drawings of them comprising the whole element to include the reveals at a scale of 1:20 and joinery details at a scale of no less than 1:5 shall first have been submitted to and been approved in writing by the Local Planning Authority. The shopfronts, windows, doors and balconies shall thereafter be implemented only in accordance with the approved details.
REASON: To ensure a building of quality in accordance with policy CH3 of the Local Plan 2015-2030.
9. The flats hereby approved shall not be occupied until details of combined television, DAB and FM aerial facilities to serve all flats within the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be implemented in full in accordance with the approved details prior to the occupation of any flat.
REASON: In the interests of the visual amenities in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.
10. No works on the dwellings or flats shall commence until a scheme to provide superfast broadband to the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority.
REASON: To help reduce social exclusion and to allow good access to services in accordance with Policies CH3 and IN2 of the Crawley Borough Local Plan 2015-2030.

11. The residential units shall not be occupied until details have been submitted to the Local Planning Authority to demonstrate that each unit shall achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption.
REASON: In the interests of sustainable design and efficient use of water resources in accordance with Policy ENV9 of the Crawley Borough Local Plan 2015-2030.
12. No construction shall take place until precise details of the energy strategy and sustainability measures for the new development which are referred to in the submitted Sustainability and Energy Efficiency Statement have been submitted to and agreed in writing by the Local Planning Authority. the dwellings shall not be occupied until the agreed measures have been implemented.
REASON: To address sustainability measures required under policies ENV6 and ENV7 in the Crawley Borough Local Plan 2015-2030.
13. No part of the development shall be occupied until the car parking has been constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.
REASON: To provide car-parking space for the uses in accordance with policy CH3 of the Crawley borough Local Plan 2015-2030.
14. The layout of the proposed development shall provide two parking spaces for the A4 Drinking Establishment and each of the 19 dwellings shall be allocated one space each.
REASON: To ensure that adequate and satisfactory provision is made for the parking of vehicles clear of all highways in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
15. Cycle storage for at least 39 cycles shall be provided prior to the occupation of any of the residential units within the room indicated for cycle storage on the approved proposed lower ground floor plan. the cycle storage shall thereafter be retained solely for the parking of cycles in accordance with the approved plans.
REASON: To ensure adequate cycle parking is provided for the development in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
16. Waste and recycling storage shall be provided prior to the occupation of any of the retail (A1 use), drinking establishment (A4 use) and residential units within the rooms indicated for commercial bin storage and the residential bin storage on the approved proposed lower ground floor plan. The commercial bin storage and residential bin storage shall thereafter be retained solely for the storage of waste and recycling in accordance with the approved plans.
REASON: To ensure adequate bin storage is provided for the development in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
17. Notwithstanding the details shown on proposed lower ground floor plan, a dropped kerb shall be provided and thereafter maintained outside the double doors between the two lifts providing disabled access to allow the residential bins to be rolled onto the access road.
REASON: To ensure the operational requirements of the site can be met in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
18. Notwithstanding the details shown on proposed lower ground floor plan, a level access shall be provided and thereafter maintained to the commercial bin store and goods lift from the access road immediately to the north east of space 15 and south of the staircase to allow the commercial bins and deliveries to be rolled to and from the access road.
REASON: To ensure the operational requirements of the site can be met in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
19. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
 - the anticipated number, frequency and types of vehicles used during construction;
 - the method of access and routing of vehicles during construction;

- the parking of vehicles by site operatives and visitors;
- the loading and unloading of plant, materials and waste;
- the storage of plant and materials used in construction of the development;
- the erection and maintenance of security hoarding;
- the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders); and
- details of public engagement both prior to and during construction works.

REASON: In the interests of highway safety and the amenities of the area and to accord with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

20. No use shall commence and no dwelling occupied until security measures have been installed with details that have first been submitted to and been approved in writing by the Local Planning Authority.
REASON: To ensure opportunities to reduce crime and the fear of crime are taken in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.
21. There shall be no live or amplified music in the approved drinking establishment A4 unit.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.
22. Prior to the commencement of development, written proposals for a sound insulation and control scheme ("the scheme") between the commercial units and any structurally adjoining residential dwelling shall be submitted to the Local Planning Authority (the "LPA") for approval. The scheme shall include full details of all proposed sound insulation and sound control techniques, predictive calculations, assumptions and measurements made. Development shall not commence until written approval of the scheme has been given by the LPA and the scheme will be implemented in accordance with the approved details prior to the occupation of any residential unit and thereafter maintained.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.
23. The opening hours for the retail units shall be only between 07:00 to 23:00.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.
24. The opening hours for the Drinking Establishment A4 Unit shall only be between 07:00 to 23:30.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.
25. There shall be no collections or deliveries to the drinking establishment and the retail units outside the hours of 07:00 to 20:00 Monday to Friday; 07:00 to 13:00 Saturday; with no collections or deliveries on Sundays and public Holidays.
REASON: To ensure the amenities of future occupiers are protected in accordance with ENV11 of the Crawley Borough Local Plan 2015-2030.
26. Submission of a Bird Hazard Management Plan
Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:
Management of any flat/shallow pitched roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds.
The Bird Hazard Management Plan shall be implemented as approved upon completion of the roofs and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.
REASON: It is necessary to manage the roofs in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Gatwick Airport.

INFORMATIVES

1. Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirements of the British Standard Code of Practice of 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 at www.aoa.org.uk/policy-campaigns/operations-safety/
2. 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.
3. A formal application for connection to the water supply is required in order to service this development. Please contact Southern Water, Sparrowgrove House Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk
4. The applicant's attention is drawn to the advice provided by Thames Water in their correspondence of 25th July 2017 in respect to their requirements for waste water disposal. If discharge is proposed into a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.

1. NPPF Statement

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

- Providing advice in a timely and manner through pre-application discussions and correspondence.
- Liaising with consultees, and the applicants 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 and additional information to address identified issues during the course of the application.
- Advising the applicant of conditions prior to the determination 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.

