

**REFERENCE NO: CR/2018/0139/FUL**

**LOCATION:** [TOWN HALL, THE BOULEVARD, NORTHGATE, CRAWLEY](#)  
**WARD:** Northgate  
**PROPOSAL:** ERECTION OF A DISTRICT ENERGY CENTRE BUILDING AND ASSOCIATED CONTROL ROOM/STORE, UNDERGROUND PIPE WORK ROUTE TO PROVIDE HEATING AND ELECTRICITY TO THE BUILDINGS INCLUDED WITHIN THE WIDER TOWN HALL REDEVELOPMENT MASTER PLAN AND OTHER DEVELOPMENTS WITHIN CRAWLEY TOWN CENTRE

**TARGET DECISION DATE:** 20 June 2018

**CASE OFFICER:** Mr H. Walke

**APPLICANTS NAME:** Westrock Ltd  
**AGENTS NAME:** DMH Stallard

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**PLANS & DRAWINGS CONSIDERED:**

DH-NET-09-001, DH Network Layout  
EC-GA-02-005, Energy Centre GA Sheet 1 of 2  
EC-GA-02-006, Energy Centre GA Sheet 2 of 2  
764-CPA-DC-ZZ-DR-A-0600, DEC Existing Elevations  
764-CPA-DC-RF-DR-A-0203, DEC Roof Level Plan  
764-CPA-DC-GF-DR-A-0210, Existing Town Hall MSCP Ground Floor Plan  
764-CPA-DC-GF-DR-A-0201, DEC Ground Floor GA Plan  
764-CPA-DC-01-DR-A-0211, Existing Town Hall MSCP 1st Floor Plan  
764-CPA-DC-ZZ-DR-A-0601, DEC Proposed South and West Elevations  
764-CPA-DC-ZZ-DR-A-0602, DEC Proposed North and East Elevations  
764-CPA-DC-ZZ-DR-A-0603, DEC Proposed East Elevation  
764-CPA-DC-ZZ-DR-A-0700, DEC Sections AA and BB  
764-CPA-DC-ZZ-DR-A-0701, DEC Sections CC and DD  
764-CPA-DC-ZZ-DR-A-0800, DEC 3D Views  
764-CPA-DC-00-DR-A-0100, Site Location Plan  
764-CPA-DC-00-DR-A-0101, DEC Masterplan  
764-CPA-DC-01-DR-A-0202, DEC Mezzanine Level GA Plan  
764-CPA-DC-ZZ-DR-A-0801, DEC 3D Views 2

**CONSULTEE NOTIFICATIONS & RESPONSES:-**

1.	WSCC - Highways	No objection subject to condition
2.	Thames Water	No comments
3.	CBC - Drainage Officer	No comments
4.	CBC - Property Division	Comments received
5.	West Sussex Fire Brigade	No response received
6.	UK Power Networks	Objection on Party Wall Act grounds
7.	CBC - Environment Team	No objection
8.	CBC - Contaminated Land	No objection in principle
9.	CBC - Environmental Health - Noise	No objection subject to conditions
10.	CBC - Environmental Health - Air Quality	No objection subject to conditions

11.	CBC - FP - Energy Efficiency & Sustainability	No objection
12.	CBC - FP - Urban Design	No objection (comments based on original scheme)
13.	CBC - Economic Development	No comments
14.	GAL - Aerodrome Safeguarding	No objection subject to conditions
15.	National Air Traffic Services (NATS)	No safeguarding objection
16.	Southern Water Ltd	No objection
17.	BT Openreach	No response
18.	Virgin Media	No response
19.	Gas Supply	Advice received
20.	Environment Agency	No comments from a planning perspective. Advice provided
21.	CBC Arboriculturist	Advice received

### **NEIGHBOUR NOTIFICATIONS:-**

46 Northgate Road;  
 Army Reserve Centre;  
 Family Dental Centre Ltd Health Clinic;  
 British Telecom Telephone Exchange;  
 Caretaker Flat.

Site Notices were also placed in the vicinity of the site.

### **RESPONSES RECEIVED:-**

One comment was received from a Crawley resident raising concerns about concentration of pollution at the site and stating that this may not be the best solution from an environmental point of view for the convenience of users.

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

This is a significant proposal closely related to adjoining sites that have been subject to recent major applications and is also a site in which the Council has an interest as landowner.

### **THE APPLICATION SITE:-**

- 1.1 The application site has an area of 0.13 hectares and is an unusual shape due to the proposed development's underground pipe network. The application site is primarily focussed on the Town Hall site, but also extends onto the former Kilnmead car park site, the adjoining Nos. 11-13 The Boulevard car park site and across Exchange Road towards the County Buildings' site. The largest parts of the site (which would house the proposed plant and related vehicular access) lie immediately to the west and north of the existing Town Hall multi-storey car park and southwards along the existing vehicular access from The Boulevard. The remainder of the site contains a number of narrow strips of land within which the underground pipework is proposed to serve adjoining and nearby sites.
- 1.2 The site lies within Crawley town centre. To the west is the Nos. 11-13 The Boulevard car park site, which has planning permission for redevelopment to form 91 flats. To the north-west is the Kilnmead site which is currently under development for a residential scheme. The telephone exchange lies to the north and County Buildings across Exchange Road to the east. Crawley College is to the south-east and the main town centre lies to the south.
- 1.3 The site lies within a Priority Area for District Heat Networks and also within the 'Land North of The Boulevard' Key Opportunity Site, both of which are defined in the Local Plan. The Dyers Almshouses Conservation Area and its Locally Listed Buildings lie to the west along Northgate Road. An area of Structural Landscaping runs north from the site along the public footpath to Kilnmead. The site lies within the Long Distance View Visibility Splay from Tilgate Park. The Boulevard is defined as a Linear Contained View under policy CH8 of the Local Plan.

## **THE PROPOSED DEVELOPMENT:-**

- 2.1 The application seeks full planning permission for a District Energy Centre building with control room and store and related pipework to provide heating and electricity to the Town Hall site, the adjoining car park site and the Kilnmead site. The pipework would also facilitate further expansion to serve other town centre development sites.
- 2.2 The proposal can be broadly divided into three key elements:
1. The District Energy Centre itself would be located immediately to the west of the existing Town Hall multi-storey car park. It would comprise a two storey building with floor dimensions of 12.4 metres by 8.2 metres and a height of 10.1 metres. Within the building would be a 1.3 MW<sub>e</sub> Combined Heat and Power Plant (CHP) and four boilers, although a smaller system would be installed initially to cater for lower demands from developments on and immediately around the Town Hall site. Five flues would project upwards from the roof of this building. The proposed flues would have a total height from ground level of 33.5 metres (106.06 AOD), a combined width of 3.6 metres and a depth of 1.4 metres. The five individual flues would be encased within a lattice metalwork structure;
  2. An existing store at ground floor level within the existing multi-storey car park and some land immediately to the north of the car park would be used for the Control Room, Energy Centre store and the Thermal Store. The Thermal Store would be located within the existing recess on the northern elevation of the car park. It would have dimensions of 3.8 metres by 3.8 metres with a height of 9.8 metres; and
  3. Underground pipework would extend north-westwards from the proposed District Energy Centre building to the Kilnmead car park site, southwards to The Boulevard (with links to the proposed residential buildings on the Nos. 11-13 The Boulevard site and within the Town Hall site) and then eastwards across the front of the Town Hall site, connecting into the proposed Town Hall office building and onwards over Exchange Road.
- 2.3 Access to the development would be from the existing vehicular access along the western side of the Town Hall building and, post redevelopment of the wider site, from the proposed access in a similar location.
- 2.4 The proposal has been amended since first submitted. The main change was the increase in flue height from the original 19.5 metres above ground level to 33.5 metres. This increase in height was to address air quality issues associated with the former lower flue height.
- 2.5 Along with drawings showing the proposal, the applicant has submitted the following documents in support of the application:
- Design and Access Statement
  - Planning Statement
  - Concept Design Report
  - Utilities Overview Report
  - Air Quality Impact Assessment
  - Fire Safety Strategy
  - Tree Survey and Arboricultural Impact Assessment
  - Noise Impact Assessment
  - Sustainability and Energy Efficiency Statement
  - SUDS Report
  - Transport Assessment Addendum

## **PLANNING HISTORY:-**

- 3.1 There is no relevant planning history on the current site, but there are a number of relevant adjoining applications.

### **Town Hall site**

CR/2017/0997/OUT – Hybrid application comprising:

- a) Detailed application for demolition of the existing Council offices and Civic Hall and erection of replacement Town Hall, offices and a public square and associated access, car parking, landscaping and ancillary works.
- b) Outline application for residential development comprising up to 182 units including commercial space with details of access. All other matters reserved (Layout, scale, landscaping and appearance).

Resolution to grant planning permission subject to a S106 agreement agreed at Planning Committee on 5 June 2018. The S106 agreement is currently being drafted.

CR/2002/0112/RG3 – Reconfiguration of existing road and footpath layout for vehicular and pedestrian access. Granted 25/03/02.

CR/585/1989 – Provision of new vehicular access and parking. Granted 22/09/89.

CR/631/1987 – Erection of Town Hall extension and multi-storey car park at side. Granted 07/12/87.

CR/673/1985 – Erection of extension to Town Hall. Granted 20/01/86.

CR/411/1983 – Conversion of existing garages and parking spaces to rates and collection office and construction of replacement garages. Granted 10/10/83.

CR/340/1974 – New office annexe. Granted 12/11/74.

CR/156/1971 – Erection of one single storey block for use as office accommodation and general storage and extension to car park. Granted 07/06/71.

CR/512/61 – Amended application for council offices.

CR/162/60 – Erection of council offices.

### **Nos. 11-13 The Boulevard**

CR/2016/0662/FUL – Demolition of existing car park and the erection of a part 3 storey, part 6 storey and part 9 storey building to provide to provide a total of 91 flats with associated parking (amended plans received). Planning permission granted 19 July 2017 following completion of a Section 106 agreement to secure open space, tree planting, affordable housing and travel related contributions.

### **Kilnmead Car Park, Kilnmead**

CR/2017/0444/FUL – Redevelopment of Kilnmead car park for residential comprising 37 affordable housing units (3 x two storey two-bed houses, 2 x two storey three-bed houses and a part 2-storey, part 3-storey and part 4-storey block of flats containing 13 x one-bed flats and 19 x two-bed flats) with associated parking & landscaping. Planning permission granted 30 January 2018 following completion of a Section 106 Agreement and construction now underway on site.

## **PLANNING POLICY:-**

### **National Planning Policy Framework (NPPF)**

- 4.1 The National Planning Policy Framework (NPPF) published in July 2018 states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- Section 2 – Sustainable Development – This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
  - Section 8 – Promoting healthy and safe communities – this section discusses the importance of achieving healthy, inclusive and safe places which are accessible and support healthy lifestyles.

- Section 11 – Making effective use of land – this section promotes effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use of possible of previously-developed or brownfield land.
- 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. Developments should add to the quality of an area over their lifetime, be visually attractive and sympathetic to local character and history. In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability.
- Section 14 – Meeting the challenge of climate change, flooding and coastal change. Planning should support the transition to a low carbon future in a changing climate, reduce greenhouse gas emissions and support renewable and low carbon energy and related infrastructure. When determining applications for renewable and low carbon development, applicants should not be expected to demonstrate the overall need for such energy and local planning authorities should approve the application if its impacts are (or can be made) acceptable.
- Section 15 – Conserving and enhancing the natural environment. Planning decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Planning decisions should sustain and contribute towards compliance with objectives and limits for pollutants. Planning decisions should assume that separate pollution control regimes will operate effectively.

### **Crawley Borough Local Plan 2015-2030**

4.2 The following policies are relevant to this planning application:

- Policy SD1 (Presumption in Favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern of land uses and arrangement of open spaces and landscape features.
- Policy CH2 (Principles of Good Urban Design) States that all proposals for development in Crawley will be required to respond and reinforce local distinctive patterns of development and landscape character, and create continuous frontages onto streets and spaces enclosed by development which clearly defines private and public areas.
- Policy CH3 (Normal Requirements of All New Development) – All proposals for development in Crawley will be required to be based on a thorough understanding of the site and its context, be of high quality in terms of their urban, landscape and architectural design and relate sympathetically to their surroundings in terms of scale, density, height, massing, orientation, views, landscape, layout, details and materials, retain a good standard of amenity, retain trees and provide appropriate access, manoeuvring and circulation space.
- 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 although, where this is not feasible, commuted sums will be sought in lieu.
- Policy CH7 (Structural Landscaping) identifies key areas of soft landscaping which contribute to the character, setting and screening of the town.
- Policy CH8 (Important views) requires that the important views identified on the Local Plan Map should be protected and/or enhanced and development proposals should not result in a direct adverse impact or lead to the erosion of these views. The Boulevard is defined as a Linear Contained View and the site lies within the Long Distance View Splay from Tilgate Park.
- Policy CH12 (Heritage Assets) protects designated and non-designated heritage assets by treating them as a finite resource and ensuring that their key features are not lost through development.

- Policy EC6 (Development Sites within the Town Centre Boundary) states that sites within the Town Centre Boundary provide an important opportunity to promote town centre viability in a sustainable location through mixed use development that meets the economic and housing needs of the borough. Land North of The Boulevard is identified as part of one of four Key Opportunity Sites, from which minimum delivery of 499 net residential units will be required.
- Policy ENV1 (Green Infrastructure) advises that Crawley's multi-functional green infrastructure network will be conserved and enhanced through various measures including protection, enhancement and integration with new development, mitigating harm and maintaining and extending links where possible, including through larger proposals.
- Policy ENV6 (Sustainable Design and Construction) requires all development to demonstrate how it will meet sustainability objectives both in its design and construction processes and also specifically to achieve BREEAM excellent for water and energy credits where viable.
- Policy ENV7 (District Energy Networks) requires that any major development proposal should demonstrate whether it can connect to an existing DEN network where available, and if not available how it may develop its own system, or how it may include site-wide communal energy systems, or be 'network ready' to connect to a DEN on construction or at some point after construction, all subject to technical or financial viability.
- Policy ENV8 (Development and Flood Risk) advises that development proposals must avoid areas which are exposed to an unacceptable risk from flooding, and must not increase the risk of flooding elsewhere.
- Policy ENV11 (Development and Noise) Advises that residential and other noise sensitive development will be permitted where it can be demonstrated that users of the development will not be exposed to unacceptable noise disturbance from existing or future uses. To achieve this, this policy should be read in conjunction with the Local Plan Noise Annex.
- Policy IN1 (Infrastructure Provision) states that development will be permitted where it is supported by the necessary infrastructure both on and off site and if mitigation can be provided to avoid any significant cumulative effects on the existing infrastructure services.
- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle standards.

### **Supplementary Planning Documents**

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

Urban Design SPD 2016: The SPD includes further design guidance on a range of developments. It addresses matters such as massing, materials and impact upon the public realm. It also sets out detailed guidance on acceptable relationships to residential development. The SPD also includes the Crawley Borough Parking Standards, which are minimum standards based on likely demand in terms of car ownership, taking into account the accessibility of the area by modes of transport other than the car.

Green Infrastructure SPD 2016: This SPD provides clear guidance on how to meet the requirements of Local Plan Policies in relation to Crawley's Green Infrastructure assets. It provides further guidance on Policy CH6: Tree Planting and Replacement Standards and Structural Landscaping (Policy CH7)

Planning and Climate Change SPD 2016: This SPD includes further guidance on sustainability policies within the Local Plan (Policies ENV6, ENV7, ENV8, ENV9 and IN3). In particular, it highlights the Council's work, through the 2011 Decentralised Energy Study, in identifying the potential for District Energy Networks (DEN) and subsequently establishing priority areas within the town. It also provides detailed advice on the benefits of DEN in terms of higher efficiency in the delivery of heating and power and issues to be addressed in bringing a proposal forward.

Crawley Community Infrastructure Levy Charging Schedule 2016: The Crawley CIL Charging Schedule is in effect from 17 August 2016 and is relevant to this application. It is applicable to all development which either creates 100 square metres or more of new build floorspace or which creates new dwellings of any size. The charges include a 'zero' charge for anything other than residential or retail development.

## **PLANNING CONSIDERATIONS:-**

5.1 The key issues for consideration in determining this planning application are:

- Principle of development
- Sustainability and climate change
- Design and appearance, including heritage impact
- Impact upon residential amenity
- Air quality
- Noise
- Trees
- Transport and servicing

### **Principle of development**

5.2 The proposed development is for a District Energy Centre which would deliver heat and electricity to the proposed redevelopment scheme on the Town Hall site and also to other sites within the town centre. Policy ENV7 of the Local Plan states that District Energy Centres are decentralised systems that can deliver heating, cooling and energy more efficiently. The Council carried out a Decentralised Energy Study in 2011 and subsequently identified three priority areas for the delivery of District Energy Networks within the town in the Local Plan. The application site lies within the town centre priority area for the delivery of a District Energy Centre. Policy ENV7 states that 'The development of district energy networks and associated infrastructure is encouraged and should be approved unless it results in significant adverse impacts on the environs.'

5.3 The principle of the development fully accords with the hierarchy set out in Policy ENV7. It is considered acceptable in principle as the proposal would deliver a District Energy Centre within the town centre priority area and it would be well located to offer efficient and sustainable heating and energy to the Town Hall redevelopment scheme and also to a number of other town centre redevelopment sites.

### **Sustainability and Climate Change**

5.4 Policies ENV6 and ENV7 of the Crawley Borough Local Plan are relevant to this application from the perspective of sustainable design, climate change mitigation/adaptation and energy efficiency. Policy ENV6 asks developments to consider 'the establishment of district energy networks within heat priority areas or near potential sources of waste energy and consider connection or futureproofing of developments for connection' and, as stated above, Policy ENV7 deals specifically with this town centre area. The Council, through its Sustainability team and its landowner role, has been developing a proposal for a town centre District Energy Network for some time. The aim of this has been to provide energy and heat more efficiently to town centre buildings, in the interests of sustainability and addressing climate change. These corporate aims are strongly supported by the two planning policies ENV6 and ENV7.

5.5 Decentralised energy generation and heat recovery systems offer an efficient energy source with less energy lost during distribution. The proposal would avoid the need for buildings or individual consumers to have boilers or fuel stores/pipework, saving on maintenance and replacement costs and potential risks. It offers a low carbon energy source which has been shown to be appropriate to Crawley and which has been implemented successfully in other urban areas.

5.6 The applicant's Sustainability & Energy Efficiency Statement states that Phase 1 of the proposed District Energy Network (to serve the proposed redevelopments of the Town Hall, Kilnmead car park and Nos. 11-13 The Boulevard) would save 213 tonnes of carbon per year. The subsequent Phase 2, although not specifically defined in the Sustainability & Energy Efficiency Statement, would involve expansion of the District Energy Centre to serve additional sites (such as Crawley College, Telford Place and County Buildings) and could create significant additional savings on top of those achieved through Phase 1.

5.7 Consideration of the emerging District Energy Network has formed a key part of the assessment of the recent planning applications at the Town Hall, Nos. 11-13 The Boulevard, Kilnmead and the Crawley College car park site. Each approval was subject to a planning condition requiring connection or detailed consideration of connection to the District Energy Network. The Town Hall

development is subject to a requirement for the District Energy Centre to be brought into use before it is occupied. In some other cases, due to differing development timescales, alternative temporary CHP is proposed for individual sites ahead of any connection to the District Energy Network. According to the 'Concept Design Report' the proposed District Energy Centre is capable of accommodating a 1.3 MWe CHP unit, capable in turn of supplying 76% of the heat supplied to phases 1 and 2 of the network. A smaller system would be installed initially to cater for the demands from Phase 1. The current proposal would therefore help deliver the sustainability and energy efficiency measures of the nearby major developments.

- 5.8 Phasing of implementation of the District Energy Network will be crucial to its success and efficient installation. Careful phasing will help to provide maximum benefits in terms of climate change mitigation and security of energy supply and also help to reduce unnecessary costs of temporary plant. As the Forward Planning Sustainability officer stated in his comments, the applicant's Concept Design Report outlines an ideal scenario in which the heat network is able to begin supplying most of the network sites (including Crawley College, as the source of 70% of the total estimated energy demand) within a relatively short space of time. There is a risk though that not all expected sites will connect, which would reduce the efficiency of the CHP unit. Potentially, in the absence of a connection by Crawley College, a situation could result where an oversized CHP unit is not able to operate at all. Connection by Crawley College would help to realise a constant demand for heat/power throughout the day, rather than demand being focussed upon residential morning and evening peaks. These phasing risks will need to be managed by the developer. At present, it is understood that the necessary agreements to justify the larger network are being secured, but these are outside the planning system and dependent on the phasing of wider developments which is outside the applicant's control. It is not therefore possible to apply a planning condition to any approval for the District Energy Centre requiring phasing details of connections.
- 5.9 Overall, in sustainability terms, the proposal is considered a significant potential benefit for Crawley town centre which could offer low carbon, cheaper, efficient and reliable energy and heat for a number of surrounding major developments.

#### **Impact upon amenity, particularly through air quality and noise**

- 5.10 There are existing houses in Northgate Road which are around 45 metres from the proposed District Energy Centre plant and flues. As Members will be aware, there are also a number of residential schemes, either proposed or under construction, in the immediate vicinity. The development on the Kilnmead car park is under construction and will be located around 60 metres from the proposed District Energy Centre. The approved scheme at Nos. 11-13 The Boulevard for 91 flats would be located a minimum of only seven metres from the District Energy Centre building. The proposed residential block on the Town Hall site, which has a resolution to grant subject to a legal agreement, is shown on the illustrative plan (layout will be confirmed at reserved matters stage) as only three metres from the nearest wall of the proposed District Energy Centre building and, at a higher level, only six metres from the flues.
- 5.11 In terms of proximity and overshadowing/overdominance issues, the distance from the existing Northgate Road houses and the ongoing Kilnmead development is considered acceptable.
- 5.12 The proposed plant building would be located within seven metres of the proposed flats to the rear of the adjoining Nos. 11-13 The Boulevard site. This part of the building would be four storeys (13.5 metres) in height and contain single aspect flats facing towards the proposed District Energy Centre. The lower flats would face onto the brick walls of the District Energy Centre, whilst the upper flats would have an outlook across its roof and to the flues. Whilst the District Energy Centre would clearly have a fairly dominant impact upon the outlook from those flats, they would already look towards the western elevation of the significantly higher multi-storey car park. Whilst the relationship is not ideal, it is not considered that the proposal would significantly worsen the outlook from that which has previously been approved.
- 5.13 The Town Hall site residential block has only been agreed in outline. The illustrative plans do show some north facing windows in this block. The nearest ones would be slightly east of the proposed District Energy Centre and primarily face the existing multi-storey car park. It is likely that most of the windows in this elevation will be of a secondary nature and it is not considered that their outlook,



which is already north facing and towards the multi-storey car park, would be significantly harmed by the proposal.

## **Noise**

- 5.14 Given the very close proximity of existing and proposed houses/flats and the nature of the proposal, noise and air quality issues need careful consideration. The generators and boilers within the proposed District Energy Centre would clearly generate noise. At lower levels, the proposed building would be largely solid, but it would have 7.5 metre by 1.5 metre louvres on the north and south walls for ventilation purposes. The flues would discharge 34 metres above ground level.
- 5.15 The proposal would be located only 6-7 metres from the nearest proposed residential blocks to the south (Town Hall site) and west (Nos. 11-13 The Boulevard). There is potential for noise disturbance to existing and future residents in the surrounding area and the impact upon their amenity must be carefully considered. The applicant has submitted a Noise Impact Assessment, updated following earlier comments from Environmental Health, containing recommendations for insulating the plant room and installing silencers on the flues. This is intended to ensure that the District Energy Centre will not cause noise disturbance.
- 5.16 Environmental Health do not object to the proposal on noise grounds, but have commented that the acoustic data provided does not contain details of the expected noise spectrum, and so had to be gained from measurements of a similar unit elsewhere. The proposed flue silencer specification is therefore based on that noise spectrum to ensure that there is no tonality, which would increase the annoyance of the noise. Given the lack of site specific information, Environmental Health state that a post-completion noise survey of the District Energy Centre and its flues will be required to ensure that the proposed silencer specification is effective for the actual unit being installed. This can be secured by condition, along with mitigation measures if required. Subject to this assessment and any necessary mitigation, the proposal, despite its proximity to nearby flats, is considered acceptable on noise grounds.

## **Air quality**

- 5.17 Air quality has been the subject of detailed discussion in processing the application and has resulted in the significant increase in flue height. At the request of Environmental Health, the applicant has reassessed the scheme and updated the Air Quality Impact Assessment. The main concern relates to NOx/NO2 emissions from the plant and the potential impact upon human receptor points. Of particular interest are the impact upon the proposed flats in closest proximity and the potential impact upon Air Quality Management Areas. The proposal incorporates Selective Catalytic Reduction (SCR) to provide emissions abatement.
- 5.18 The Council's Environmental Health Officer raised concerns that the proposal would need a permit under new regulations coming into force in December. The Environment Agency, the body implementing the new regulations, was consulted on the planning application. The Agency has raised no objection from a planning perspective, but confirmed that the proposal is likely to require a permit under the Environmental Permitting (England & Wales) Regulations 2016. This could result in further revisions to the scheme. However, the new regulations are brought forward under separate legislation and cannot be considered as a material planning consideration. Any resulting revisions would, if they result in material changes to the scheme, need to be resolved through future planning applications.
- 5.19 Setting the permit issue aside, the Environmental Health officer, in accordance with policy ENV12, requires the emissions from the plant to be acceptable in terms of impact upon nearby residents and the wider area. A condition is therefore requested to ensure that emissions from the scheme would meet the national air quality standards set out in the Air Quality Strategy.
- 5.20 Overall, subject to the recommended Environmental Health condition requiring demonstration that the scheme can meet the national air quality standards and subject to a maintenance and servicing plan, the scheme is considered acceptable in air quality terms.

## Design and appearance

- 5.21 The main visual impact of the proposal would be from the proposed flues, due to their proposed height. These would be 33.5 metres high. There would be five flues, each with a diameter of around 0.6 metres. The application proposes to surround the five flues with a decorative lattice metalwork structure to enhance their appearance. The latticework would have a width of around 3.6 metres and a depth of around 1.3 metres. At a lower level, the two storey plant enclosure building to the west of the Town Hall multi storey car park would also be visible for some residents and also pedestrians using the Kilnmead public footpath. The thermal store would also be publicly visible in longer distance views.
- 5.22 The proposed latticework structure could help to improve the appearance of the flues and this approach has been used with some success elsewhere. However, the District Energy Centre would be in a backland location and there is little scope to create a landmark building as such. The flues and latticework would be tall and slender, and the latticework could add visual interest, but it would be difficult to argue that they would have a positive visual impact.
- 5.23 The applicant has produced a series of images to illustrate the visual impact of the proposed flues from various locations in the surrounding area. Clearly, given their height, the flues would be visible from a number of different directions. From Northgate Avenue, one of the main routes into the town centre, the flues would be partially visible over the existing Town Hall multi-storey car park. Their visual impact, whilst slightly harmful, would be fairly limited in the context of existing car park, Town Hall buildings and the Telephone Exchange and its masts, and also due to the slim nature of the flues. Once the new Town Hall is constructed, their height would become less dominant.
- 5.24 The flues would be visible over the top of the two storey houses at the eastern end of Northgate Road. They would also be likely to be visible from near the Dyers Almshouses. However, The Platform (Woodall Duckham) building is already visible over houses along the south side of Northgate Road. The approved Nos. 11-13 The Boulevard and the proposed flats on the Town Hall site will also be visible over houses in the road. Given the context of Northgate Road with its two storey houses being situated adjacent to the town centre, which contains existing significantly taller buildings of up to eight storeys and the approved schemes around the Town Hall, the flues are unlikely to have a significant additional visual impact upon Northgate Road but could cause some limited harm.
- 5.25 The flues would be approximately 128 metres from the nearest boundary of the Almshouses. Although they would be visible, the intervening modern two storey housing and the nearby taller town centre buildings mean that any adverse visual impact upon the historic assets of the Conservation Area and locally listed buildings would be limited.
- 5.26 The flues would be visible from the north, although the trees along the public footpath (designated as Structural Landscaping) would partially screen views. The applicant has produced a closer view from the pedestrian footpath between Kilnmead and The Boulevard. Clearly along the footpath both the flues and the District Energy Centre building to the west of the multi-storey car park would be highly visible. They would be viewed though in the context of existing and proposed buildings which are bulkier and, in some cases, taller. Whilst again arguably causing some harm, the impact would be fairly limited.
- 5.27 In terms of designated views, the flues would lie within the visibility splay from Tilgate Park. Given the distance involved, the limited width of the flues and screening offered by existing and proposed taller/bulkier buildings, the impact of the flues in views from Tilgate Park would be negligible.
- 5.28 The potential for incorporating the flues within the proposed residential block of the Town Hall redevelopment when that building is constructed has been raised with the applicant. Officers consider that this could reduce their visual impact by incorporating the flues within a more substantial building. The agent has responded that this could raise new air quality, noise and potentially vibration issues affecting residential amenity. Further design work would apparently be required to address how emissions travel along flues with right angled turns, although officers note that the proposed flues already incorporate two right angled turns. The agent has also raised potential concerns about aviation safety and radar if the flues projected above the height of the residential block agreed by Gatwick. This approach would also require the District Energy Centre to be taken out of operation

whilst the flues were altered. Whilst it seems certain that technical solutions could be found to noise, air quality, vibration, emissions and aviation issues, the applicant has not revised the scheme and the application needs to be determined in its current form.

- 5.29 At a lower level, the main building would have metal panelling at ground floor level, with brickwork above. It would have a flat roof. This building would be a maximum of ten metres high to the top of the rooftop plant, although the main part of the building would be 7.8 metres high. Its footprint would be 12.8 metres by 8 metres. It would sit directly alongside the western elevation of the multi-storey car park, which is 16.6 metres high. The main plant of the building (excluding flues) would only be visible to users of the footpath and from flats approved to the rear of the Nos. 11-13 The Boulevard site. Depending on fenestration, it would be visible from some of the proposed flats on the Town Hall site, which have been agreed in outline only. Given the proposed building's location surrounded by existing and proposed taller buildings and with very limited public visibility, the proposed elevations are considered acceptable. The applicant is proposing to make the plant building visually unobtrusive, but to give the brickwork some visual interest. The proposal is to use patterned brickwork to add interest to the upper elevations, with the building reflecting the materials to be used on the adjoining Nos. 11-13 The Boulevard scheme. This approach is considered appropriate in terms of materials and detailing, subject to a condition requiring further detail.
- 5.30 The proposed thermal store, immediately to the north of the multi-storey car park, would have limited public visibility. It would be partially visible to car park users, would not be visible from Exchange Road and would be partially visible from Kilnmead. Views from Kilnmead would be from around 100 metres away and the thermal store would only be visible against the backdrop of the car park. It is not considered that the proposed thermal store would have any significant visual impact. The control room, energy centre store and part of the proposed plant would be located within the existing multi-storey car park, including utilising the existing ground floor store. The impact on car parking spaces is discussed below but, in visual terms, the impact of this element of the proposal would be minimal.
- 5.31 The proposal would also involve significant lengths of underground pipework. This would have no visual impact upon the surrounding area.
- 5.32 Overall, the location of the proposed District Energy Centre behind existing and proposed buildings of up to ten storeys will serve to limit its visual impact. However, the District Energy Centre's flues, regardless of any visual interest created by the proposed metal latticework structure, are likely to have some harmful visual impact upon Northgate Road and other surrounding areas due to their height and external appearance. The flues and energy centre would also be fairly dominating in views along the Kilnmead footpath. These relatively limited, but adverse, visual impacts need to be weighed in reaching an appropriately balanced decision on the planning application.

### **Trees**

- 5.33 There are existing mature trees lining The Boulevard and the public footpath to the west of the Town Hall site. The trees along The Boulevard are proposed to be retained. The removal of the line of Western Red Cedars along the public footpath to the west of the Town Hall was agreed as part of the Town Hall outline planning application. Other trees lie to the north-west between the proposed District Energy Centre and the Kilnmead development.
- 5.34 The applicant submitted a Tree Survey and Arboricultural Impact Assessment with the application. The Council's Arboriculturist has considered the report and is satisfied with its conclusions. As suggested within the applicant's report, a condition regarding tree protection and an arboricultural method statement is recommended.

### **Transport and servicing**

- 5.35 The proposed District Energy Centre would create very limited traffic movements and these would be for maintenance purposes, rather than day to day journeys. The applicant has stated that vehicle trips for maintenance will be required only a few times a year. Access would be taken from The Boulevard using the existing access or, depending on development timescales and other planning permissions, the slightly revised access following Town Hall redevelopment. The Local Highway Authority is satisfied that the proposal would not have a significant impact upon local highways.

5.36 The proposal would result in the loss of nine existing car parking spaces within the existing Town Hall multi-storey car park, two of which are Parent and Child bays. This loss of car parking was addressed in the assessment of the recent application for Town Hall redevelopment. The Local Highway Authority has stated that, given *“the central and sustainable location of the site and that the surrounding streets are controlled by a Controlled Parking Zone (CPZ) the loss of 9 car parking spaces is not considered to be a severe impact which would warrant a reason for refusal.”*

5.37 The proposed District Energy Centre is considered acceptable in transport terms.

### **Drainage**

5.38 The applicant has submitted a SUDS report. The proposed approach to drainage continues the strategy agreed for the wider Town Hall site. The principle is to restrict surface water run-off to 50% of its existing rate. For the Town Hall scheme, storage tanks will be installed below the proposed public square. These will store water in order to reduce flows into the public sewer system. The proposed District Energy Centre will be connected to the proposed storage tank, enabling flows to be reduced sufficiently from their current levels.

### **Other issues**

5.39 UK Power Networks lodged an objection in relation to the location of an existing electricity substation within 6 metres of the proposed works. The letter stated that no notice has been received from the developer under the Party Wall Act. Whilst this is noted, any planning permission would not override any rights that UK Power Networks may have under the Party Wall Act or any lease or right of access. In any case, the agent subsequently confirmed that notice has been served on UK Power Networks. It is not considered that planning permission could be refused on this basis.

### **CONCLUSIONS:-**

6.1 The proposed development is an important part of the sustainability approach set out in the Local Plan. It would form a District Energy Centre offering a network to provide efficient, low carbon heat and power to the wider town centre. Given the number of forthcoming developments in the area, this appears a timely opportunity to deliver this scheme. As the report highlights, there could be some adverse visual impact from the flues upon surrounding streets and the proposed flats close to the site, though this could be partially mitigated by the design of the proposed metal latticework. The applicant has demonstrated that noise and air quality issues can be satisfactorily addressed. Other matters such as drainage and transport have also been resolved.

6.2 Overall, taking account of all relevant considerations, the highly significant sustainability and carbon efficiency benefits to be gained from the scheme are considered to outweigh the more limited visual impact and the impact upon the outlook from proposed adjacent flats. It is also worth highlighting that, if the proposed scheme does not proceed, CHP plants and related flues may be installed on individual proposed buildings in the area. Permission is therefore recommended subject to a number of conditions addressing issues such as the appearance and colour of the proposed metal latticework, noise and air quality.

### **RECOMMENDATION RE: CR/2018/0139/FUL**

PERMIT subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.  
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:  
(Drawing numbers to be added)  
REASON: For the avoidance of doubt and in the interests of proper planning.
3. No above ground works on the District Energy Centre hereby approved shall take place unless and until a schedule and samples of all materials and finishes to be used for the external walls, roofs,

flues, railings and metalwork, together with details of the proposed brickwork patterning and bonding, have been submitted to and approved by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design SPD.

4. Notwithstanding the details shown on the submitted drawings, no above ground development shall take place until full details of the appearance, colour and materials of the proposed metal latticework structure to enclose the flues have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the approved details.

REASON: To enable the Local Planning Authority to control the development in detail in the interest of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

5. No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. The Plan shall include details of, 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);
- details of cranes and other tall construction equipment (including the details of obstacle lighting);
- details of temporary lighting; and
- details of public engagement both prior to and during construction works.

The approved Construction Management Plan (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON: In the interests of highway safety, the amenities of the area and to ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) and does not endanger the safe movement of aircraft through interference with communication/navigational aids and surveillance equipment in accordance with policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.

6. No development shall take place under a Tree Protection Plan and Arboricultural Method Statement covering trees on and around the application site has been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details unless otherwise agreed in writing by the Local Planning Authority. Any trees removed without such consent or dying or being severely damaged or becoming seriously diseased during that period shall be replaced in the following planting season with trees of such size and species as may be agreed with the Local Planning Authority.

REASON: To ensure the retention of vegetation important to the visual amenity and for the environment of the development in accordance with policy CH7 of the Crawley Borough Local Plan 2015-2030.

7. Prior to the commencement of the District Energy Centre hereby approved, full details of the SUDS measures to be undertaken to reduce surface water drainage rates to 50% of their current rates in accordance with the Elliott Wood SUDS Report dated October 2017 and a site specific maintenance manual shall be submitted to and approved in writing by the Local Planning Authority. The agreed measures shall be implemented and brought into use before the District Energy Centre hereby approved is brought into use.

REASON: To ensure sustainable treatment of surface water run-off in accordance with policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the Planning and Climate Change Supplementary Planning Document.

8. Immediately upon the installation of the flues, obstacle lights shall be placed on the two outermost flues at 105.060m AOD. The obstacle lights must be low intensity Type B steady red with an intensity of 200 candelas. The obstacle lights must be maintained and remain illuminated at all times unless otherwise agreed in writing by the Local Planning Authority.  
REASON: Obstacle lights are required on the flues to avoid endangering the safe movement of aircraft and the operation of Gatwick Airport and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015 – 2030.
9. The measured or calculated noise rating level (when assessed using BS4142:2014) for the combined effect of the Plant Room and Flues for the proposed Combined Heat and Power Plant associated with the proposed development, shall not exceed 44dB (LAeq1hr) one metre from the façade of any existing or approved noise sensitive premises (which includes the approved residential developments on the Town Hall and 11-13 The Boulevard site) between the hours of 07.00 and 23.00 and shall not exceed 36dB (LAeq15mins) between the hours of 23:00 and 07:00. After installation a survey, involving the measurement and calculation of noise emissions, shall be undertaken not less than 3 months after completion. The survey shall identify the level of compliance and any breaches of the maximum noise rating levels. A written report of the findings, identifying the level of compliance and, where required, details of any mitigation measures and a timetable for their implementation, shall be submitted to the Local Planning Authority within 1 month of the survey completion.  
REASON: To ensure that noise levels associated with the development hereby approved are acceptable and do not cause unacceptable harm to residential amenity for existing and future residents in accordance with Policies CH3 and ENV11 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (2018).
10. The District Energy Centre hereby approved shall include selective catalytic reduction (SCR) abatement on the Combined Heat and Power Plant (CHP), which shall be designed, operated and maintained to achieve pollutant concentrations not exceeding the air quality objectives set out in the National Air Quality Strategy. Unless otherwise agreed in writing by the Local Planning Authority, after installation of the CHP and boilers to serve Phase 1 of the wider developments as set out in the Callaghan Green Sustainability and Energy Efficiency Statement, a survey involving the measurement of emissions shall be undertaken not less than three months after completion. Unless otherwise agreed in writing by the Local Planning Authority, following installation of any replacement or additional CHP and boilers to increase the District Energy Centre's capacity to serve other developments in the wider area, a survey involving the measurement of emissions shall be undertaken not less than three months after their completion. The surveys shall identify the level of compliance and any breaches of the national air quality objectives. A written report of the findings, identifying the level of compliance and, where required, details of any mitigation measures and a timetable for their implementation, shall be submitted to the Local Planning Authority within one month of the completion of each survey.  
REASON: To ensure that air quality associated with the development hereby approved is acceptable and does not cause unacceptable harm to residential amenity for existing and future residents in accordance with Policies CH3 and ENV12 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework (2018).
11. Details of the servicing and maintenance plan, including responsive as well as planned maintenance, for plant and equipment within the District Energy Centre hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the plant and equipment being brought into use. The District Energy Centre shall be operated in accordance with the agreed servicing and maintenance plan thereafter unless otherwise agreed in writing by the Local Planning Authority.  
REASON: To ensure that maintenance and servicing arrangements are satisfactory to protect amenity for existing and future residents in terms of air quality and noise in accordance with Policies CH3, ENV11 and ENV12 of the Crawley Borough Local Plan 2015-2030.

## INFORMATIVES

1. The applicant is advised that the obstacle lights required under condition 8 may be able to be removed once the roof level of the proposed Block B building on the Town Hall site (planning application CR/2017/0997/OUT), or any revised scheme on the same site, reaches 105.060m AOD. The

approval of the Local Planning Authority, who would consult GAL Safeguarding, will be required before the lights could be removed.

2. Within the boundaries of Crawley Borough Council the Control of Pollution Act 1974 is used to control noise from construction sites. Section 60 of the Act permits Local Authorities to specify the hours the noisy works are permitted.

The permitted hours for noisy construction work in the Borough of Crawley are as follows:

0800 to 1800 Monday to Friday and

0800 to 1300 on Saturday.

With no noisy construction works taking place on Sundays, Bank Holidays, Public Holidays, Christmas Day, Boxing Day or New Years' Day.

The developer shall employ at all times the best practical means to minimise noise disturbance to nearby residents. All construction work practises shall comply with B.S. 5228 1:2009 'Code of practice for noise and vibration control on construction and open sites'.

Any exemptions to the above hours must be agreed with The Environmental Health Team in advance.

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 3030119) or [www.southernwater.co.uk](http://www.southernwater.co.uk).
4. The applicant is advised that they should contact West Sussex County Council Streetworks team should any Streetworks Licences be required for the underground duct work on the adopted highway. Further details can be found here (<https://www.westsussex.gov.uk/roads-and-travel/highway-licences/street-workslicence/>) or by emailing [street.works@westsussex.gov.uk](mailto:street.works@westsussex.gov.uk).
5. Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. Gatwick Airport requires a minimum of four weeks notice. For crane queries/applications please email [gal.safeguarding@gatwickairport.com](mailto:gal.safeguarding@gatwickairport.com) The crane process is explained further in Advice Note 4, 'Cranes and Other Construction Issues', (available from <http://www.aoa.org.uk/policy-campaigns/operations-safety/>).

#### 1. NPPF Statement

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

- Providing advice in a timely and manner through pre-application discussions/correspondence.
- Liaising with consultees and the agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of the application.

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



# ArcGIS Web Map

Crawley Borough Council  
Town Hall, The Boulevard,  
Crawley, West Sussex,  
RH10 1UZ  
Tel: 01293 438000



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