PLANNING APPLICATION REF NO:  CR/2017/0333/FUL

LOCATION:  12 CLIVE WAY, POUND HILL, CRAWLEY

PROPOSAL  ERECTION OF A 2 BEDROOM, TWO STOREY ATTACHED DWELLING

APPLICANTS NAME:  Mr I Frame

AGENTS NAME:  Ian Garrett Building Design Limited

CASE OFFICER:  Mr D. Power  EXPIRY DATE:  7 June 2017

PLANS & DRAWINGS CONSIDERED:

2097.16.1D Site Plan, Block Plan, Existing and Proposed Floor Plans and Elevations

CONSULTEE(S) NOTIFICATIONS & RESPONSES:-

1.  WSCC – Highways: No objection subject to conditions
2.  CBC - FP - Energy Efficiency & Sustainability: No objection subject to conditions.

NEIGHBOUR NOTIFICATIONS:-

CLIVE WAY:16,10,18,14,20
Clive Way:20,,

RESPONSES RECEIVED:-

Two letters of objection have been received and the comments can be summarised as follows:

- The design is out of character with the area
- The proposed dwelling would block sunlight to existing residential properties.
- The proposal dwelling would result in loss of privacy to neighbouring properties.
- Lack of parking

THE APPLICATION SITE:-

The application site is located on the southern side of Clive Way, and currently forms the side garden area and drive to no. 12 Clive Way, which is a semi-detached property. To the east of the site is a row of terraced dwellings and, to the north, south and west the properties are semi-detached.

THE PROPOSED DEVELOPMENT:-

This application seeks full planning permission for the erection of a two storey attached dwelling, which would sub-divide the plot to create the new dwelling. The proposed dwelling would have accommodation over three floors comprising of 2 bedrooms (on the first and second floor) and the kitchen, living and dining room on the ground floor.

PLANNING HISTORY:-

CR/2016/0915/FUL:  ERECTION OF 1 X THREE BEDROOM DETACHED PROPERTY: Refused for the following reasons:
1. The proposed dwelling by virtue of its size, design, layout and relationship with the site boundaries, together with the pattern and character of the surrounding development, it is considered to represent a cramped and unsympathetic form of development which is out of character with the locality and contrary with Policies CH2, CH3 and H1 of the Crawley Borough Local Plan 2015-2030 and the advice in the Urban Design SPD.

2. The layout of the dwelling would result in cramped internal layout and provide inadequate living accommodation to the detriment of future inhabitants. The application is therefore contrary to policy CH5 of the Crawley Borough Local Plan 2015-2030 and the Nationally Described Space Standards 2015.

3. The proposed development, by virtue of its siting, bulk and scale would have an adverse impact upon the amenities enjoyed by the occupants of Nos.14 and 16 Clive Way contrary to the Policy CH3 of the Crawley Local Plan (2015-2030) and the guidance contained within Urban Design Supplementary Planning Document (2016).

**PLANNING POLICY:-**

**National Planning Policy Framework (2012)**

- Requiring Good Design- Section 7 states that Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- Paragraph 14: Presumption in favour of sustainable development
- Paragraph 17: Core planning principles
- 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.
- Paragraph 50: Delivering a wide choice of high quality homes
- Paragraph 56 attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

**Local Plan (2015)**

- Policy SD1 (Presumption in Favour of Sustainable Development) In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH1 (Neighbourhood Principles) states that the neighbourhood principle would be enhanced by maintaining the neighbourhood structure of the town with a clear pattern 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:
  a) Be based on a thorough understanding of the significance and distinctiveness of the site and its immediate and wider context.
  b) 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.
  c) Provide or retain a good standard of amenity for all existing and future occupants of land and buildings.
d) Retain existing individual or groups of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens that would not overshadowed by three canopies and proposals should ensure that rooms within buildings would receive adequate daylight.

e) Demonstrate how “Secure by Design” principles and guidance set out in the “secured by Design” design guidance have been incorporated into the development.

f) Meet the requirements necessary for their safe and proper use, in particular with regard to access circulation and manoeuvring, vehicle and cycle parking loading and unloading, and the storage and collection of waste.

g) In respect of residential schemes, demonstrate how the Building for Life 12 criteria (as amended) for the evaluation of the design quality of residential proposals have been taken into account and would be delivered through the scheme.

- Policy CH5 (Standards for All New Dwellings) states that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents.
- Policy H1 (Housing Provision) the Council will positively consider proposals for the provision of housing to meet local housing needs.
- Policy H3 (Future Housing Mix) states that all housing development should provide a mix of dwelling types and sizes to address the nature of local housing needs and market demand.
- Policy H4 (Affordable and Low Cost Housing) states that 40% affordable housing will be required from all residential developments.
- 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 IN2 (Strategic Delivery of Telecommunications Infrastructure) states that all proposals for residential, employment and commercial development of one unit or more must be designed to be connected to high quality communications infrastructure to ensure that fibre optic or other cabling does not need to be retrofitted.
- Policy IN4 (Car and Cycle Parking Standards) states that development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is being assessed against the borough council’s car and cycle parking standards.
- Policy ENV6 (Sustainable Design and Construction) in order to maximise carbon efficiency, all homes will be required to meet the strengthened on-site energy performance standards of Building Regulations
- Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new ‘optional’ water efficiency standard introduced into part G of the Building Regulations in 2015, subject to viability and technical feasibility.

Supplementary Planning Document (SPD)

- Urban Design Guide (2016) – this includes:
  - Residential Development- Design principles for new residential developments.
  - Annex 1- parking standards

- Planning and Climate Change (2016)
  - Provides further justification for the sustainably polices in the Local Plan

- Draft Affordable Housing SPD (June 2017): This SPD was published for consultation on 22 June 2014. It expands upon policy H4 of the Local Plan and guides developers on the contribution to be sought towards affordable housing from smaller developments.

PLANNING CONSIDERATIONS:-

The main considerations in the determination of this application are:-

- Principle of development in this location
- Design and appearance
- Impact on the amenities of neighbouring occupiers;
- The impact upon the highway and parking
- The resultant living conditions of future occupiers;

**Principle of Development**

The application site is located within the built up area and within an existing established residential area and therefore the principle of an additional dwelling within the location is considered acceptable.

**Design and appearance**

Policy CH2 of The Local Plan requires 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.

This application follows the refusal of a previous application on the site for a detached dwelling. This current application proposes an attached dwelling creating a terrace of 3 properties. The dwelling would have a frontage of 4.3 metres, a depth of 9.8 metres and a ridge height to match the existing dwelling of 8.4 metres with an eaves height of 5.2. The proposed development would be seen in context of the neighbouring properties which are predominately semi-detached properties with half hipped roofs and wider frontages of approximately 5.5 metres, with relatively uniform scale and proportions. The remaining dwellings in Clive Way to the east are either of the same design or terraced properties, with the gaps between the different terraces and semi-detached properties a character of the area. The proposed dwelling would be located on the driveway and garden area of no. 12 adjacent to a row of garages and would fill a gap between the semi-detached properties and the terraces to the east.

In comparison to the previous refused application, the proposal is now attached to the existing dwelling and mimics the existing roof form but would have a narrower frontage than the existing dwelling. It is considered that the proposal would unbalance the pair of dwellings. In addition, the proposal dwelling is now deeper than previously proposed being 9.8 metres in depth and forms the cat slide roof to the rear. This results in a large expanse of brick wall which, because of the gap between the site and no. 14 Clive way, would be visible along the street scene. The proposed dwelling would be set back from the side boundary by 1 metre reducing the gap between the existing dwelling and the dwellings to the east. The proposed dwelling would be cramped on the site and represents an overdevelopment of the site.

The proposed dwelling by virtue of its size, design and relationship with site boundaries together with the pattern and character of the surrounding development it is considered to represent a cramped and an unsympathetic form of development out of character with the locality.

**Impact on the amenities of neighbouring occupiers**

The proposed dwelling would be attached to the existing dwelling of 12 Clive Way and located on the boundary of the garages to the east and to the rear boundaries of no. 14 and 16. The proposed dwelling would measure 5.2 metres to the eaves and 8.4 metres to the ridge with a depth of 9.8 metres. The eastern elevation which would face the properties of no. 14 and 16, would have one window at the first floor, which would serve a bathroom and therefore obscurely glazed. The proposal would result in only a 12.5 metre gap between no.s 14 and 16 to the proposed dwelling and a large mainly blank wall within close proximity to the neighbouring properties. While the proposed dwelling has been set further back from this boundary by 0.5 metre in comparison to the previously refused application, it is still considered that the close proximity of the proposed dwelling to no’s 14 and 16 in addition to its massing and height would have an overbearing impact on their amenity and result in loss of outlook.

The impact upon the highway, parking and the operational requirements of the development:

WSCC were consulted on the application and have no objections to the proposal on highway grounds. However, it is noted that only 1 parking space per unit could practically be provided, especially as vehicular access to the front parking area for no. 12 would have to be gained by crossing the front area of the
proposed dwelling. In addition the pedestrian walkway to the rear for no. 12 would need to cross the rear garden of the proposed dwelling immediately adjacent to the rear elevation of the house and this would be the access route for bins to be taken to the front of the property. It is considered that these arrangements for parking, access and bin storage/collection would be less than satisfactory to meet the operational needs of the new and existing dwellings and are a further illustration of a cramped layout.

Living conditions of future occupiers

Policy CH5 (Standards for All New Dwellings (including conversions) of the Crawley Borough Local Plan 2015-2030 advises that all new dwellings must create a safe, comfortable and sustainable living environment, capable of adapting to the changing needs of residents through the application of Building Regulations. Having reviewed the submitted details, the proposed dwelling would meet the minimum room and floorspace requirements set out in Policy CH5.

As stated above the application proposes to create a pedestrian access for 12 Clive Way which would run across the immediate rear of the proposed dwelling. This is not an existing feature found on surrounding dwellings and there is no policy requirement for such a pedestrian access. This proposed access to the rear of the new dwelling would be along the rear wall of the new dwelling, resulting in users being able to look into the proposed dwelling. It is considered that this would have an unacceptable impact on the future occupiers of the new dwelling and would lead to an unsatisfactory relationship between the dwellings, contrary to Policy CH5 of Crawley Local Plan.

Sustainability

Policy ENV6 (Sustainable Design and Construction) requires planning applications such as this to include a Sustainability Statement detailing the response of the proposal to the sustainability objectives set out in the policy. Policy ENV9 (Tackling Water Stress) requires all new dwellings to achieve the new ‘optional’ water efficiency standard from part G of the Building Regulations, subject to viability and technical feasibility. The detailed requirements of policy ENV6 (Sustainable Design and Construction), and ENV9 (Tackling Water Stress) can be addressed by condition.

Affordable Housing Contributions

Crawley Borough Local Plan Policy H4, in respect of Affordable Housing, states that 40% affordable housing will be required from all residential developments. For sites of 5 dwellings or less a commuted sum towards off-site affordable housing provision will be sought.

National Planning Policy, established through a Ministerial Statement and Appeal Court Judgement since the adoption of the Local Plan, has introduced a threshold for size of development below which affordable housing contributions should not be sought. This states that residential developments of ten dwellings or less, or which have a maximised combined gross floor space of no more than 1000sqm, should not have to provide affordable housing.

Crawley Borough Council continues to believe there are specific local circumstances which are strong material considerations to be considered against the Ministerial Statement. These circumstances and the Council’s approach to affordable housing on small sites will be explained and justified in the Affordable Housing Supplementary Planning Document (SPD). This SPD was published for consultation on 21/06/2017. At this stage, as the SPD in relation to this policy was not published for consultation when the application was valid, officers consider it would be unreasonable to expect affordable housing contributions in relation to this application.

CIL/S106 Contributions

This application would be liable for the Community infrastructure Levy (CIL) which came into effect on the 17th August 2016. The final CIL charge will be communicated to the applicant via the development Liability Notice. There are no S106 contributions sought for this development.

Policy CH6 requires that landscape proposals for residential development should contribute to the character and appearance of the town by including at least one new tree for each new dwelling, of an
appropriate species and planted in an appropriate location. Therefore the proposal would require the planting of one tree within the site, this could be secured by condition.

CONCLUSIONS:-

It is considered that the proposals design and appearance would appear at odds with the neighbouring properties out of keeping with the character of the area and would therefore be harmful to the character of the area and the street scene. The proposal would have an overbearing impact on the amenity of neighbouring properties. For these reasons the application is recommended for refusal.

RECOMMENDATION RE: CR/2017/0333/FUL

REFUSE for the following reasons: