

REFERENCE NO: CR/2006/0046/COU

LOCATION: THE WYATTS TWO, RADFORD ROAD, TINSLEY GREEN, CRAWLEY
PROPOSAL: CHANGE OF USE OF DWELLING APPROVED UNDER
CR/2005/0317/FUL TO 6 APARTMENTS

APPLICANT/AGENT

APPLICANTS NAME: Delcraven Ltd.,
AGENTS NAME: Brett Incorporated Ltd.,

AMENDED PLANS/DRAWINGS:

CONSULTATIONS

<u>Type</u>	<u>Comments</u>
1. 1. Head of Transport Services	Objection
2. BAA	No objection
3. Environmental Health	No objection

Consultation expiry date: 16 February 2006

NEIGHBOUR LETTERS SENT:-

The Occupier: 1 The Wyatts, Blackburn, Oaklands, Malvern, Brent Cottage,
Cherrydene

REPLIES RECEIVED:-

Two letters received objecting to the proposal on the following grounds:

- Inadequate parking
- Poor visibility at the junction of the access road and Radford Road
- Risk of flooding

THE APPLICATION SITE:-

The application site comprises one single storey dwelling with a large rear garden; the overall size of the application site is 0.26 hectare. The site is bounded by a single storey care home towards the west and a one and a half storey dwelling towards the east. There is a slight increase in ground level towards the south but it is insignificant in relation to the proposal. The site is within a Zone 2 floodplain and therefore has a low risk of flooding (0.1-1%).

THE PROPOSED DEVELOPMENT:-

The application seeks planning permission to sub-divide the dwelling approved under CR/2005/0317/FUL, to six apartments, including external alterations.

PLANNING HISTORY:-

- Planning permission was granted in 2005 (CR/2005/0776/COU) for the change of use of the dwelling approved under CR/2005/0317/FUL to supported living units (C2). The proposal also included external alterations.
- In 2005, planning permission was granted for the erection of a replacement dwelling and garage. (CR/2005/0317/FUL)
- In 2005, planning permission was refused for the change of use from a granny flat annexe to independent use, also incorporating accommodation, which forms part of the main dwelling. (CR/2005/0064/COU)
- In 2004, permission was refused for the retrospective removal of condition 3 of CR/620/87 to allow independent use of the annexe. (CR/2004/0900/NCC)
- In 1987, planning permission was granted for the erection of a single storey side extension to provide a granny flat. (CR/620/87).

The following applications are of particular relevance:

- An appeal was dismissed in 1998 following the refusal of outline planning permission (layout, number and siting of buildings and means of access were considered) for the erection of 2 semi-detached cottages at land at Donkey Lane, Fernhill, Crawley. The site is outside the built-up area boundary and within the strategic gap. The application was refused for several reasons including its siting beyond the built-up area boundary, which is unrelated to the needs of agriculture or forestry; no compelling circumstances for residential development sited within the strategic gap; the site is within an area seriously affected by aircraft noise; the increased use of the existing access would add to the hazards of highway users to an unacceptable degree; inadequate visibility at the junction of the access road and would be likely to attract standing vehicles which would interrupt the free flow of traffic on the highway.

The relevant Development Plan when this application was determined was the West Sussex Structure Plan 1993 and the Crawley Borough Local Plan 1993 and the Crawley Borough Local Plan Deposit Draft 1995. Although these Development Plans are not the current adopted plans, the fundamental objective of controlling development within the strategic gap has remained unchanged.

The inspectorate concluded the proposal would have a materially harmful effect on the appearance and character of the countryside and would conflict with the Structure and Local Plan policies. The Inspector also noted that if the appeal were allowed, it would be difficult for the Council to resist similar proposal for residential development in the countryside. The appeal was subsequently dismissed.

- A planning application was refused in 1981 for the erection of two detached houses at Blackburn, Radford Road-the property directly towards the east of the application site. The application was refused for the following reasons:
 1. *"The land is not allocated for residential development in the Development Plan and the proposal conflicts with the Local Planning Authority's intentions regarding such development"*
 2. *"The site lies within a strategic rural gap between Crawley and Gatwick Airport/Horley where there is a particularly strong presumption against development unrelated to the needs of agriculture or forestry"*

3. *“The site lies in an area adversely affected by aircraft noise”*
4. *“The proposed development if permitted would set an undesirable precedent, the cumulative effect of which would be to the detriment of policies set out in (1) and (2) above”*
5. *“The proposal would constitute an unsatisfactory form of backland development which, together with the incidental use of the proposal means of access, would be un-neighbourly and adversely affect the privacy and quiet enjoyment of the neighbouring properties”*

PLANNING POLICY:-

The issues to be taken into consideration when determining this application are as follows:

- Whether an acceptable standard of residential accommodation would be created
- Parking, impact to the highway
- Impact to neighbour amenity
- Impact to the streetscene/countryside/strategic gap

The site is outside the built-up area boundary and within the Strategic Gap.

The policies to be taken into consideration when determining this application are STRAT3, GD1, GD2, GD3, C1-4, C7-8, T2, T9, H16, H20 and H22 of the Crawley Borough Local Plan 2000. Supplementary Planning Guidance Notes 2, 4 and 16 are also relevant.

The policies from the West Sussex Structure Plan 2001-2016, which are relevant to this application, are LOC2, DEV1, DEV4-5 and CH3.

The guidance within PPG 3 “Housing” and PPS 7 “Sustainable Development in Rural Areas” are also relevant.

PLANNING CONSIDERATIONS:-

Whether an acceptable standard of residential accommodation would be created

SPG 2 provides standards for the sub-division of a dwelling into self-contained flats. The proposed dwellings comply with these standards in terms of internal floor space and general storage space, although the applicant has not provided refuse storage for the proposed dwellings. There would be a large communal garden to meet the needs of future occupiers in accordance with the guidance in SPG 2 and 4.

Parking, impact to the highway

STRAT3 states in considering the location of new development, the Council will seek to minimise the need for the consumption of resources and energy usage, including reducing the need to travel, particularly by car. SPG 16 states a 1bed dwelling should be provided with 1.2 spaces and a 2bed dwelling with 1.5 parking spaces. SPG 16 also requires the provision of cycle storage, where a garage is not provided. Although the approved dwelling (CR/2004/0317/FUL) had an integral garage, this revised application indicates the garage would provide living accommodation, although the proposed west elevation indicates garage doors would still be provided.

The Highways Officer was consulted on this proposal. The Officer has stated the proposal would require eight parking spaces. The Officer also considers the site to be

in an unsustainable location being remote from regular public transport services and good cycle/pedestrian links to local facilities. This would result in future occupants having a high dependence on the private car. The access itself is also substandard in width and visibility whilst the Radford Road is a well-trafficked road. Policy DEV4 of the Structure Plan 2001-2016 states development should not be permitted unless the travel needs it generated are met. The proposal is therefore contrary to policies STRAT3, GD1, GD3, T2 and T9 of the Local Plan 2000, SPG 16 and policies DEV4-5 of the West Sussex Structure Plan 2001-2016.

Impact to neighbour amenity

The proposal also includes minor external alterations, including the removal of the chimney and amendments to the fenestration details, including the insertion of an additional window at ground floor level on the east elevation, a dormer window amended to provide a balcony and a dormer window decreased in size on the south elevation (for full list see file). The overall footprint, siting and size of the building would remain unchanged, it is considered, due to the scale and extent of the proposed external alterations, the proposal would not have a detrimental impact to the amenities of neighbouring properties, including dominance, loss of daylight/sunlight, privacy or outlook.

Impact to the streetscene/countryside/strategic gap

The site is located within an area of countryside designated as strategic gap. Policy C1 of the adopted local plan provides guidance in respect of development beyond the built-up area boundary. The policy clarifies that there is a presumption against development, which is unrelated to the needs of agriculture and forestry. Policy LOC2 of the WSCC Structure Plan 2001-2016 states development will only be permitted in the countryside if it can be demonstrated to require a countryside location.

Policy C3 states that development within strategic gaps will only be permitted in compelling circumstances, and are more likely to be demonstrated for agriculture, forestry, waste disposal, recreation and leisure (subject to policy C13) and sewage treatment works. Policy C4 specifically relates to development within the strategic gap and sets out limited developments, which are not required to provide compelling circumstances in the context of Policy C3. This includes small-scale extensions and alterations to residential and non-residential buildings and changes of use, which do not significantly increase parking requirements, or traffic movements, providing there is no significant increase in site activity. Proposals, which comply with Policy C4, must also be judged in terms of their impact on the countryside and must meet the criteria of policies C7 and C8. Policy CH3 of the WSCC Structure Plan 2001-2016 states development should not be permitted which would undermine the fundamental purpose and integrity of a strategic gap.

The proposed sub-division of the approved dwelling conflicts with the requirements of policy C1 of the Local Plan 2000 given that it would result in six independent units of residential accommodation outside the built-up area boundary, which is unrelated to the needs of agriculture or forestry. The proposal therefore does not require a countryside location, contrary to policy LOC2 of the WSCC Structure Plan 2001-2016.

Given the form and scale of the proposal, it does not fall within exceptions policy C4 and would therefore have to comply with policy C3. In this case, given the proposal would create six independent dwellings, unrelated to the needs of agriculture,

forestry, waste disposal, recreation and leisure and sewage treatment works, and outside the built up area boundary and within a strategic gap, it is considered there are no compelling circumstances, which have or could be demonstrated for the creation of an additional dwelling within this locality. It is considered, the proposal, if granted would undermine the fundamental purpose and integrity of the strategic gap, and is therefore contrary to policies C3 of the Local Plan 2000 and CH3 of the Structure Plan 2001-2016.

The replacement dwelling approved (CR/2005/0317/FUL) is a large family dwelling with five bedrooms and complied with the parking standard, which required 2-3 parking spaces within the curtilage of the site. The application the change of use of the approved dwelling to a supported-living unit (class C2), was to provide accommodation for eight residents, the applicant indicated on the application form, two members of staff would be employed. The site would be provided with six on-site parking spaces, which was considered an acceptable amount to meet the operational requirements of the site. Condition 5 of the permission restricted the amount of residents to eight, in order to control the intensification of the site and to protect the amenities and character of the surrounding area.

As discussed above, the proposed apartments would require eight parking spaces, which is a considerable increase in parking spaces when compared with the parking requirement for the approved dwelling or the supported living units. Especially given the sites location outside the built-up area boundary and within the strategic gap where the character of the surrounding area is defined by a countryside setting.

Policy LOC2 of the Structure Plan 2001-2016 states development should be compatible with its location in the countryside and where appropriate, result in substantial environmental enhancement. In terms of traffic movements and car-parking, it is considered six independent dwellings, with a potential occupancy of 14 people, would result in a significant increase in activity on the site, compared to a 5bedroom-family dwelling (CR/2005/0317/FUL) or an 8person supported living unit (CR/2005/0776/COU). This is due to the increase in parking requirements, traffic movements for residents and visitors and the operational requirements of the site, for example deliveries. The form and scale of the proposal and the level of activity on the site is not considered compatible with a countryside location and would result in a detrimental impact to the countryside character of the surrounding area, contrary to policies GD1, GD2 and H5 of the Local Plan 2000 and LOC2 of the WSCC Structure Plan 2001-2016.

CONCLUSIONS:-

The proposal is to create six dwellings outside the built-up area boundary and within the strategic gap, where the character of the area is defined as rural. The proposal does not fall within the compelling circumstances test of policy C4 due to the significant increase in activity on the site. It is considered that if this application were granted permission, it would set a precedent for further residential development in the strategic gap, contrary to structure and local plan policies. The proposal would not meet its operational requirements in terms of refuse storage and the applicant has not demonstrated adequate car and cycle parking would be available to meet the relevant parking standard. The increased use of the existing access onto the Radford Road, which is considered unsatisfactory, would result in a detrimental impact to highway safety. The proposal does not relate sympathetically to its surroundings and is contrary to policies GD1, GD2, GD3, T2 and T9 of the Crawley Borough Local Plan 2000, DEV4-5, LOC2 and CH3 of the West Structure Plan 2001-2016 and SPG Notes 2 and 16.

RECOMMENDATION RE: CR/2006/0046/COU

Refuse