



Appeal Decision

Site visit made on 25 November 2019

by C Beeby BA (Hons) MIPROW

an Inspector appointed by the Secretary of State

Decision date: 23rd December 2019

Appeal Ref: APP/Q3820/W/19/3234932

25-29 Queens Square, Northgate, Crawley RH10 1HA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Metro Bank PLC against the decision of Crawley Borough Council.
 - The application Ref CR/2019/0165/NCC, dated 6 March 2019, was refused by notice dated 5 June 2019.
 - The application sought planning permission for the redesign and reconstruction of the building façade including new shopfront, revised entrance and installation of 2 ATM machines without complying with a condition attached to planning permission Ref CR/2018/0236/FUL, dated 5 November 2018.
 - The condition in dispute is No 2 which states that: "the glazing details including the glazing bars on the fenestration above and below the fascia signage as shown on the approved plans shall be installed within 4 months of the date of this permission".
 - The reason given for the condition is: "in order to control the development detail in the interest of the visual amenity and to ensure that the development accords with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030 and the guidance in the Urban Design SPD".
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Decision

1. The appeal is allowed and planning permission is granted for the redesign and reconstruction of the building façade including new shopfront, revised entrance and installation of 2 ATM machines at 25-29 Queens Square, Northgate, Crawley RH10 1HA in accordance with the application Ref CR/2019/0165/NCC made on the 6 March 2019 and the plans numbered A3.0, A3.1, A3.2, A3.4 (all revised 1 April 2019), ES0.0 and ES0.0.1 (both revised 12 February 2019) without complying with conditions No 1 and 2, set out in planning permission No CR/2018/0236/FUL granted on 5 November 2018 by the Crawley Borough Council.

Application for costs

2. An application for costs was made by Metro Bank PLC against Crawley Borough Council. This application is the subject of a separate Decision.

Background and main issue

3. The redesign of the building façade took place following the granting of planning permission in 2018. Condition 2 of that planning permission requires the installation of glazing, including glazing bars, in accordance with approved plans. This has not occurred and an alternative glazing design has been

implemented at the site. The appeal seeks permission not to comply with condition 2. The main issue is the effect that removing the condition would have on the character and appearance of the area.

Reasons

4. The appeal building is a commercial bank which lies at a corner of Queens Square, within the town's central retail district. The building has a two storey scale and a frontage to both Queens Square and The Martlets, which is a retail thoroughfare which adjoins the square. The bank has a prominent presence in the street scene as a result of its location and scale.
5. A number of buildings housing ground floor commercial premises are set around Queens Square. These are generally between three and four storeys in height.
6. The fenestration pattern of the upper floors of a substantial building opposite the appeal site consists of a combination of rows of smaller windows set within brickwork, and blocks of glazing which cover the upper storeys and are separated only by glazing bars. Retail units to the ground floor of this building include some larger glazed panels to their frontages. The lengthy rows of smaller windows and blocks of glazing with some coloured panels to the upper floors of the building create a somewhat utilitarian appearance, and therefore its contribution to the street scene is neutral.
7. A retailer of sports goods occupies a premises close to the appeal building and across the thoroughfare. The upper storeys of this premises have a substantial level of glazing which is separated by glazing bars, with larger panes to the first floor than those above. This building has a somewhat tired appearance in terms of fenestration, which contributes negatively to the appearance of the square.
8. A gym business occupies the upper storeys of a building to the other side of the square. These have an expanse of glazing which is divided into multiple squares by glazing bars. The larger panels of glass contribute to a more contemporary appearance which has a more positive effect on the street scene than the development described above.
9. Thus, the contribution of existing upper floor fenestration to the appearance of the square is not so consistently positive that it merits unwavering replication in development schemes in the vicinity. The fenestration pattern of building frontages is diverse in age, configuration and scale. There is minimal evidence before me to suggest that the current glazing arrangements may be a defining architectural characteristic of Crawley as a "new town". Indeed, I consider that adherence to a pattern of extensive rows of smaller glazed panels at upper floor levels around all sides of the square is likely to result in a somewhat cluttered appearance. This would arise from the repetitive effect of rows of similarly sized glazed panels and the disparate style, scale and date of glazing arrangements.
10. Furthermore, as a corner building, the bank's context is set by both Queens Square and The Martlets. Whilst buildings on The Martlets are generally lower than on the square, fenestration is relatively diverse and a number of retail premises have relatively large panes of glass to their upper storeys.

The appeal building has larger panes of frameless glazing which echo the scale and appearance of these. However, the breaks between panels are visible even from a moderate distance, and hence the appeal building does not appear as an unbroken mass of glazing.

11. Moreover, the use of rendered columns and the shop signage between the panels assist in providing framing of a comparable width to that of surrounding development, and some variety, avoiding the impression of a featureless expanse of glass. The larger scale panels of the appeal building also correspond to the use of a larger size of glazed panel to the front of the gym and sports retailer buildings within Queens Square.
12. In light of the above factors, the glazing arrangements of the appeal building at upper floor level consequently have an acceptable effect on the character and appearance of the area.
13. Whilst the height of the ground floor glazing is a little greater than that which is present on the majority of premises in the square and The Martlets, there are some examples which display a similar width of glazed panel. There is some diversity in fascia sign height, particularly along The Martlets, such that the current signage does not appear so incongruous as to merit the introduction of a horizontal glazing bar at ground floor level, to align with other signage. Thus, I consider that the current ground floor glazing arrangements, similarly, have an acceptable effect on the character and appearance of their surrounding context.
14. For these reasons I conclude that removing the condition would not cause harm to the character and appearance of the area. The proposal consequently complies with policies CH2 and CH3 of the Crawley Borough Local Plan (2015), which require proposals to respond to locally distinctive patterns of development and to be based on an understanding of the distinctiveness of the site and its context. It also complies with the Urban Design Supplementary Planning Document (2016), which concerns, in part, design principles upon which retail and urban development schemes should be based.

Conclusion

15. The disputed condition is not necessary because its removal would not cause harm to the character and appearance of the area. For the reasons given above, I conclude that the appeal should be allowed. I will grant a new planning permission having removed the disputed condition.
16. I have additionally removed Condition 1 of the original permission, which detailed the approved plans, as this referred to plans showing both glazing schemes. It would, consequently, have lacked precision had I attached it to this permission. Therefore, in the interests of clarity, I have instead set out the plans upon which this permission is based in the above decision, and have not applied any other conditions.

C Beeby

INSPECTOR