

## Crawley Borough Council

### Minutes of Planning Committee

Monday, 29 January 2018 at 7.30 pm

#### Councillors Present:

I T Irvine (Chair)

C Portal Castro (Vice-Chair)

N J Boxall, D Crow, R S Fiveash, F Guidera, K L Jaggard, S J Joyce, T Rana,  
A C Skudder, P C Smith, M A Stone and G Thomas

#### Also in Attendance:

Councillor T G Belben and R D Burrett

#### Officers Present:

Roger Brownings	Democratic Services Officer
Kevin Carr	Legal Services Manager
Anthony Masson	Senior Planning Officer
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economic & Environmental Services
Hamish Walke	Principal Planning Officer

#### Apologies for Absence:

Councillor B J Burgess and J Tarrant

#### 1. Disclosures of Interest

The following disclosure of interest was made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor P C Smith	CR//2015/0435/FUL - Land Parcel at Jersey Farm, County Oak Way, Langleigh Green, Crawley (Minute 5)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.

#### 2. Lobbying Declarations

The following lobbying declaration was made by Members:-

Councillors Boxall, Crow, Guidera, Irvine, Jaggard, Joyce, Portal Castro, Skudder, P C Smith, Stone and Thomas had been lobbied regarding application CR/2017/0346/OUT.

**3. Minutes**

The minutes of the meeting of the Committee held on 4 December 2017 were approved as a correct record and signed by the Chair.

**4. Planning Application CR/2017/0346/OUT - Land north of Tilgate Forest Business Centre, Forest Gate, Brighton Road, Tilgate, Crawley**

The Committee considered report PES/244 (b) of the Head of Economic and Environmental Services which proposed as follows:

Outline application (access & layout), for erection of two four-storey residential buildings, comprising 80 one and two bedroom flats, with car parking at undercroft and surface level and communal private amenity space.

Councillors Jaggard, Stone, and Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application.

Mr Ian Sowerby, the Agent, addressed the Committee in support of the application.

The Committee then considered the application. Members generally expressed a number of concerns which reflected many of those set out in the report. Those concerns included, in particular, the loss of the employment site and its redevelopment for residential use. Members emphasised that the loss of the employment site would be contrary to the objectives of the Local Plan 2015-30 to promote economic growth for new and existing businesses within the Main Employment Area. Furthermore, and whilst the proposal would result in the loss of the valuable employment site to the detriment of Crawley's economic function, the principle of the site's redevelopment for residential use was not considered acceptable, given that the Borough could demonstrate a five year housing supply and given the site's unsustainable location some distance from a neighbourhood centre and with poor highways access. Residential use could conflict with the existing office uses and would be out of keeping with the New Town neighbourhood approach to development.

**RESOLVED**

**Refuse** for the reasons listed in report PES/244 (b).

**5. Planning Application CR//2015/0435/FUL - Land Parcel at Jersey Farm, County Oak Way, Langley Green, Crawley**

The Committee considered report PES/244 (a) of the Head of Economic and Environmental Services which proposed as follows:

Construction of an industrial warehouse building comprising three units, A, B and C, to provide B2 and B8 usage, together with associated parking and amenity (updated planning statement received).

Councillors Jaggard and Stone declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application. In so doing the Group Manager:

- Confirmed that the application had originally been considered by the Development Control Committee on 21 September 2015 when it was resolved to permit the development subject to the completion of a Section 106 Agreement. Whilst the Applicant had not yet completed that Agreement, there had been on-going discussions relating to this matter, and the Applicant had now indicated that they would be completing the Agreement shortly. The application was therefore being re-presented to the Planning Committee for reconsideration, and a new resolution was being sought as there had been a number of material changes to policies that required consideration since the original resolution had been made.
- Advised of the need for an amendment to Paragraph 5.3 of the report, whereby the Officer title referred to in that Paragraph should read "Head of Economic and Environmental Services".

The Committee then considered the application. In response to issues raised, the Group Manager (Development Management) confirmed:

- The Applicant's indication that they would be completing the Section 106 Agreement shortly and within the time period specified in paragraph 5.3 of the report.
- That the wording in Paragraph 4.10 of the report should be amended by deleting the word "maximum" and replacing with the word "minimum".

## **RESOLVED**

**Permit**, subject to:

- (i) The completion of a Section 106 Agreement to ensure that off-site public realm and Transport Infrastructure impacts are mitigated. Should however the Section 106 Agreement fail to be completed by 30<sup>th</sup> March 2018 and unless there are exceptional circumstances for the delay, the Head of Economic and Environmental Services be authorised to refuse planning permission for the following reason:

*An agreement is not in place to ensure the appropriate level of infrastructure to support the development and the development is therefore contrary to policies CH3 and IN1 of the Crawley Borough Local Plan 2015-2030.*

- (ii) The two amendments identified above.
- (iii) The conditions set out in report PES/244 (a).

**6. Planning Application CR/2017/0829/NCC - Pullcotts Farm Nursery, Peeks Brook Lane, Pound Hill, Crawley**

The Committee considered report PES/244 (c) of the Head of Economic and Environmental Services which proposed as follows:

Removal of Conditions 1 (temporary permission) and 3 (personal permission) pursuant to CR/2012/0465/FUL for change of use of land to mixed use to include stationing of caravans for residential accommodation, temporary utility building, new access, fencing/gates, stable block, open fronted barn, polytunnel and septic tank.

Councillor Jaggard declared she had visited the site.

The Principal Planning Officer provided a verbal summation of the application. In so doing he emphasised that:

- Granting planning permission as originally requested through the current application would have had the effect of granting a permanent consent for use of the site for the purposes proposed and without restriction upon who could occupy the site.
- In correspondence during the course of processing the application, the Agent for the Applicant had recognised airport safeguarding issues and indicated that a temporary permission would be acceptable.
- A balanced judgement of all the issues identified in the report had led to an officer recommendation seeking a further temporary planning permission of four years, subject to conditions.

The Committee then considered the application. In response to issues raised, the Principal Planning Officer:-

- Acknowledged the need for an amendment to the report whereby the name of the Councillor referred to on Page 60, should read "Councillor Belben"
- Emphasised that the Officer recommendation would ensure that there would be no change to the ongoing current use or the appearance of the site, with the same occupants as was currently the case.
- Explained that there had been a second touring caravan on the site, but that this was only temporary as a result of a relative visiting the site. The Council's Enforcement Officers would be available to investigate this matter, if it was felt necessary to do so as a potential breach of condition.
- Explained that there was currently no alternative available local provision for gypsies and travellers within the Borough. Appropriate gypsy and traveller sites were generally in short supply, and the Applicant had no other land on which he and his family could live.
- Confirmed that the Local Plan did contain an allocated gypsy and traveller site at Broadfield Kennels. This site had yet to be delivered.
- Advised that no materials were stored on site at the time of the Officer's site visit, but that if concerns were brought to the Council's attention regarding external or internal storage of materials used for commercial purposes on the site at any time, the Council's Enforcement Officers would be available to investigate a potential breach of condition.
- Confirmed that the touring caravan on the site was used for travelling, but that the mobile homes did not leave the site.
- Emphasised that the Applicant chose to buy and occupy the site of his own free will, in full awareness of the level of noise due to its proximity to the airport and motorway.

- Advised that in terms of noise implications on the health of occupants, the period of the temporary permission could be reduced from the proposed four to three or two years. However, whilst there were significant concerns regarding noise exposure, Officers felt that four years was appropriate in that it offered a compromise between that exposure, future aviation policy (Gatwick Safeguarding), the human rights of the Applicant and surrounding land owners.
- Further advised that the proposed four year temporary permission could also allow more time for the Broadfield Kennels' site to come forward, which might assist with the accommodation needs of some or all of the site's occupants.

## **RESOLVED**

**Permit**, for a period of four years, subject to the conditions set out in report PES/244 (c)

### **7. Planning Application CR/2017/0910/RG3 - Queensway and The Pavement, Northgate, Crawley**

The Committee considered report PES/244 (d) of the Head of Economic and Environmental Services which proposed as follows:

Regeneration of Queensway and The Pavement involving repaving, installation of new soft landscaping, installation of new street lighting, installation of new street furniture and repositioning of disabled parking bays along Queensway.

Councillors Jaggard, P C Smith, Stone, and Thomas declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application. In response to issues raised, the Group Manager (Development Management):-

- Advised that the taxi rank on the southern side of the Queensway carriageway was currently suspended with no intention to replace it.
- Emphasised that the number of parking bays, including disabled parking spaces, would be unchanged.
- Explained that the impact on businesses would be mitigated through the timing of development and would be controlled by means of a Construction Management Plan via condition. The intention was to start construction work after next Christmas (2018) to mitigate the impact on Christmas trade.
- Indicated that there would be new street lighting installed along the pedestrian and highway areas generally to improve overall levels of illumination.
- Explained that textured paving would be laid, to differ in style, to define the street environment - moving from the wholly pedestrian / access area, to the vehicle highway area to the east of Queensway.
- Confirmed that the coffee shops would still maintain an element of dedicated outdoor seating and this had been considered as part of the design.
- Indicated that with the intended removal of the raised planters, the pedestrianised section of Queensway would become more open and could be used more flexibly for markets and other events.

**RESOLVED**

**Permit**, subject to:

- (i) To the conclusion of a Section 106 Agreement.
- (ii) The conditions set out in report PES/244 (d).

**8. Objections to the Crawley Borough Council Tree Preservation Order, 6, Parham Road - 12/2017**

The Group Manager (Development Management) introduced report PES/278 of the Head of Economic and Environmental Services, which sought to determine whether to confirm this Tree Preservation Order (TPO) with or without modification for continued protection or, not to confirm the TPO.

Councillors Stone and Thomas declared they had visited the site.

Having considered the issues raised in the report, the Committee agreed to confirm the TPO without modification.

**RESOLVED**

**Confirmed.**

**Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.54 pm

**Chair**