

**The attached minutes are for
Consideration at the
meeting of the Full Council to be
held on 16 December 2015**

Minutes of:

**Development Control Committee,
7 December 2015.**

(Item 8 (1) (h) of the Full Council's Agenda refers).

Crawley Borough Council

Minutes of Development Control Committee 7 December 2015 at 7.30pm

Present:

Councillor	I T Irvine (Chair)
Councillor	C A Moffatt (Vice-Chair)
Councillors	B J Burgess, D G Crow, F Guidera, K L Jaggard, S J Joyce, B McCrow, R Sharma, A C Skudder, P C Smith, M A Stone, J Tarrant, G Thomas and W A Ward

Officers Present:

Tony Baldock	Environmental Health Manager
Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Heather Girling	Democratic Services Officer
Jean McPherson	Group Manager, Development Management
Marc Robinson	Principal Planning Officer

Apologies for Absence:

None

36. Lobbying Declarations

The following lobbying declarations were made by Members:-

All Councillors had been lobbied regarding applications CR/2015/0339/FUL and CR/2015/0340/LBC.

Councillors S J Joyce, P C Smith and W A Ward had been lobbied regarding application CR/2015/0485/FUL.

Councillors B McCrow and P C Smith had been lobbied regarding application CR/2015/0638/FUL.

37. Members' Disclosure of Interests

The disclosures of interests made by Members were set out in Appendix A to these minutes.

38. Minutes

The minutes of the meeting of the Committee held on [10 November 2015](#) were approved as a correct record and signed by the Chair.

39. Planning Applications List

The Committee considered report [PES/178](#) of the Head of Economic and Environmental Services.

RESOLVED

That in respect of the applications specified below, details of which are more particularly set out in report [PES/178](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Councillors M A Stone and G Thomas withdrew from the meeting before the presentation and took no part in the discussion or voting on the item.

Item 1

CR/2015/0339/FUL

1 & 2 The Lychgate, Ifield Street, Ifield, Crawley

Erection of Single Storey Extension, Internal Alterations, Change of Use from Community Church Use and Associated Office To D1 (Clinic), Demolition of Existing Unlisted Garages And Sheds.
(Amended Description and Plans)

Councillors F Guidera, I T Irvine, K L Jaggard, S J Joyce, P C Smith, M A Stone, J Tarrant and G Thomas had visited the site.

The Principal Planning Officer provided a verbal summation of the application and update that the applicant confirmed the air conditioning units originally proposed had been deleted from the application. The Committee was informed of a correction in the report, which was as follows:

Para 5.6 should read: It would be 1.3m from the boundary.

Anne Pearce, Andrew Smart and Gary Morris addressed the Committee in objection to the application. Whilst Revd Simon Newham, Trevor Strutt and Martin Hull spoke in support of the application.

The Committee listened carefully to the concerns raised in objection, notably those of the impact upon the conservation area and Listed Building, the impact on the street-scene, harm to the environment, drainage issues regarding the sewers in the area and increased visitors and traffic leading to car parking concerns, pollution and increase disturbance to neighbours.

The Committee also listened to those views in support. This included that the application would provide improvements to the current building, enabling repairs to a listed building, whilst not causing harm to the setting of the locality. The proposal would provide benefits to the community. Landscaping and fencing conditions would assist in alleviating the impact on neighbouring properties and upon the character of the conservation area and it was stated that there were no clear views of the proposed extension from the church/church yard to the south due to the boundary screening.

The Committee then considered the application.

Some Members felt that the proposal would have a harmful impact on neighbouring properties and would not be in keeping with the character of the surrounding area.

Parking and traffic issues were also considered by the Committee and whilst there would be increased traffic, it was also felt the development was unlikely to result in large numbers of visitors and would not adversely affect the conservation area or neighbours.

Other views were that the demolition of the garages and proposal would result in an improvement to the character of the area and the alterations would provide the church with a renovated building, which currently was in urgent need of repair whilst maintaining the historical importance of the area/building.

It was further noted by Members that the proposal would provide improvements to the building through a privately led voluntary scheme, offering viable community benefits that would improve the facility for the neighbourhood.

Some Members highlighted that no objection had been received from the Ifield Village Conservation Area Advisory Committee.

Clarification was provided by the Principal Planning Officer of the harm that would result from the development to the occupiers of the neighbouring property and whether community benefits could be considered in regard of the determination of the application. It was confirmed that community benefits could be considered, but that it was the Officer's view that the harm to neighbour amenity and the heritage asset outweighed the benefit in this instance.

The Officer recommendation was not supported and a subsequent vote to permit was passed.

Delegated to the Head of Economic and Environmental Services, in consultation with the Chair of the Development Control Committee, and in discussions with the Listed Building Officer to: **GRANT PERMISSION** subject to conditions.

Item 2

CR/2015/0340/LBC

1 & 2 The Lychgate, Ifield Street, Ifield, Crawley.

Listed Building Consent For The Erection Of Single Storey Extension, Internal Alterations, Change Of Use From Community Church Use And Associated Office To D1 (Clinic), Demolition Of Existing Unlisted Garages And Sheds.
(Amended Description And Plans)

Councillor F Guidera, I T Irvine, K L Jaggard, S J Joyce, P C Smith, M A Stone, J Tarrant and G Thomas had visited the site.

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

Andrew Smart spoke in objection and raised issues with regards to the change of D1 usage to a Grade II Listed building, the impact on the historical setting of the building and the area, and the speaking time taken by one supporter of the previously determined application. Michael Faller added in objection that any changes within the conservation area should be avoided to protect its special character.

The Committee then considered the application. The Committee sought clarification on what would be considered in the current application and how this differed from the planning application previously granted. It was also asked if/what specific conditions

that could be applied to a Listed Building Consent application. A query was raised regarding what other uses fall within a D1 use Class.

In response it was noted that whilst the applications were related, they were to be determined in isolation by the Committee as the Listed Building Consent would specifically relate to the impact upon the special architectural and historic character of the Listed Building including its physical fabric, the interior, preservation of important features and methodologies for undertaking works.

Some Members commented that it was important to retain the character of the conservation area, whilst other views wished to improve the area. Considerations were voiced that the application would retain the historic element whilst enhancing the building through a privately led voluntary scheme and noted some of the factors this would involve.

The Officer recommendation was overturned and a subsequent vote to grant consent was passed.

Delegated to the Head of Economic and Environmental Services, in consultation with the Chair of the Development Control Committee, and in discussions with the Listed Building Officer to: **GRANT CONSENT subject to conditions**

Councillors M A Stone and G Thomas re-entered the meeting.

Item 3

CR/2015/0485/FUL

6 Goffs Close, Southgate, Crawley

Erection of Two Storey Rear Extension and Conversion of Loft Space to Habitable Accommodation Including Rear Facing Balcony, Garage Conversion and Erection Of Infill Ground Floor Extension to Link Garage to Main House and Pitched Roof Over Garage.

Councillors B J Burgess, F Guidera, I T Irvine, K L Jaggard, S J Joyce, P C Smith and J Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and updated the Committee regarding additional representation received regarding the siting of the balustrade for balcony and the overlooking impact.

Elaine Killerby and Anthony Duncombe addressed the Committee in objection, specifically in relation to the balcony and the overlooking it caused. Whilst Ian Turner spoke in support of the application noting the history of the development.

The Committee noted the concerns expressed regarding the balcony (with particular reference to the position of the balustrade and the increase in height of the floor to the accommodation in the roof-space), the loss of privacy to neighbouring areas and the construction of the parapet wall adjacent to the neighbour to the north. In support, the Committee acknowledged the references made by Ian Turner to work with interested parties and complete the works to the defined plan.

The Committee then considered the application. The Committee sought clarification on the current timescales for implementation given the previous permission granted in 2012. In response, the Committee was informed that should the conditions not be fulfilled within a reasonable amount of time, enforcement action could be pursued. Concern was raised regarding the lack of privacy resulting from the balcony. It was

thought that screening could be added to the sides of the balcony to reduce the impact on neighbouring dwellings.

The following new condition was therefore added:

Condition 4

Within 6 weeks of the date of this permission the applicant shall have submitted details of obscure glazed screens for the north and south facing sides of the rear facing roof balcony.

The obscure glazed screens shall thereafter be implemented within 6 weeks of the date of the approval of, and thereafter be maintained in accordance with, the approved details.

The balcony shall not be brought into use unless and until the obscure glazed screens have been implemented in accordance with the approved details.

REASON: To ensure the amenity of neighbouring occupiers is protected in accordance with 'saved' policy GD1 of the Crawley Borough Local Plan 2000.

Permitted subject to the conditions as set out in report [PES/178](#) and the new condition above.

Item 4

CR/2015/0625/FUL

27 Mill Road, Three Bridges, Crawley

Installation Of New Entrance Doors With Ramp For Disabled Access, Glass Canopy, Installation Of Block Paving To Car Park At Front with Improved Surface Water Drainage

Councillors I T Irvine and K L Jaggard declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and the situation regarding the removed trees.

John Cooban then addressed the Committee in objection to the application, focusing mainly on the impact on the character of the conservation area of the loss of the arch and access issues.

The Committee then considered the application.

Permitted subject to the conditions and informative as set out in report [PES/178](#).

Item 5

CR/2015/0638/FUL

Northwest House, Gatwick 23, Gatwick Road, Northgate, Crawley

Two Year Temporary Change Of Use From Commercial Offices To Co-Educational School (Amended Documents & Plans Received)

Councillors S J Joyce, P C Smith and G Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application. The Committee was informed of one correction to the report and an amendment to condition 1, which were as follows:

The final item in the list of 'Plans and Drawings considered' should read: A-03-14 REV B GA Plan – First Floor Block B – Proposed

Condition 1 to read: 'on or before the expiration of the period ending 31st August 2017'.

Paul Reilly spoke in support of the application, acknowledging the ability to work flexibly, implementing a staggered timetable and working with businesses and partners to ensure success.

The Committee then considered the application. Some Members expressed concern about the noise environment for pupils, traffic movements both on and off-site and the lack of outdoor sports/play facilities. Other Members commented that the maximum size of the school during the temporary period would be limited and as a result traffic movements would be lower.

The Committee sought clarification on the implications of granting a temporary permission and what action could be taken if the suggested conditions were not complied with.

In response the Committee was informed that the rationale for a temporary permission in this case was not to allow for a trial period to test the operation of the school, with a view to granting a permanent permission at the end of that period, but was to reflect the exceptional circumstances that existed and to provide a short term solution for the continuity of the existing pupils' education. The longer term position would need to be pursued separately by the school. If the conditions were not complied with, then it would be open to the Council to pursue enforcement action, by a Breach of Condition Notice or an Enforcement Notice, if expedient.

Permitted subject to the conditions as set out in report [PES/178](#) with the amendment to condition 1 as set out above.

Item 6

CR/2015/0688/FUL

150 Three Bridges Road, Three Bridges, Crawley

Change Of Use Of Existing Dwelling To Form 2no Flats (Comprising 2 No 1-Bed Flats) Including A Rear Outbuilding And The Creation Of 2no On-Site Parking Spaces And A New Crossover.

Councillors B J Burgess and K L Jaggard declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and informed of a correction in the report, which was as follows:

Informative 1 to read: The applicant is advised to contact the County Highways Officer.

The Committee then considered the application.

Permitted subject to the conditions and informatives as set out in report [PES/178](#).

Item 7
CR/2015/0715/FUL
112 Warren Drive, Ifield, Crawley

Erection Of Two Storey Side Extension Single Storey Rear & Single Storey Front Extension

Councillors K L Jaggard and P C Smith declared they had visited the site.

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

The Committee then considered the application.

Permitted subject to the conditions and informative as set out in report [PES/178](#)

40. Protocol on Public and Ward Member Involvement in the Planning Process and Speaking at Development Control Committee

The Committee considered report LDS/110 of the Head of Legal and Democratic Services, which provided amendments to the information contained within the Constitution on public and Member involvement and speaking at the Development Control Committee. It was good practice to regularly review protocols and procedures so that business was transacted which was relevant to current requirements and working practices.

The Group Manager (Development Management) referred to additional amendments to be inserted in relation to the publication and notification of planning applications.

RESOLVED

RECOMMENDATION 4

That the Full Council be recommended to approve the amendments to the Protocol on Public and Ward Member Involvement in the Planning Process and Speaking at the Development Control Committee as set out in Appendix B to these minutes.

41. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 11.05pm.

I T IRVINE
Chair

Appendix A

Members' Disclosure of Interests

Member		Minute Number		Subject	Type and Nature of Disclosure
Councillor P C Smith		Minute 39		CR/2015/0638/FUL Northwest House, Gatwick 23, Gatwick Road, Northgate, Crawley	Personal Interest – Board Member for Manor Royal Business Group
Councillor M Stone		Minute 39		CR/2015/0339/FUL 1 & 2 The Lychgate, Ifield Street, Ifield, Crawley	Personal and Prejudicial Interest – member of St Margaret's Church. Councillor M Stone left the meeting before the presentation and took no part in the discussion or voting on the item.
Councillor M Stone		Minute 39		CR/2015/0340/LBC 1 & 2 The Lychgate, Ifield Street, Ifield, Crawley	Personal and Prejudicial Interest – member of St Margaret's Church. Councillor M Stone left the meeting before the presentation and took no part in the discussion or voting on the item.
Councillor G Thomas		Minute 39		CR/2015/0339/FUL 1 & 2 The Lychgate, Ifield Street, Ifield, Crawley	Personal Interest - CBC Representative on the Ifield Village Conservation Area Advisory Committee
Councillor G Thomas		Minute 39		CR/2015/0339/FUL 1 & 2 The Lychgate, Ifield Street, Ifield, Crawley	Personal and Prejudicial Interest – close personal family connection to the church. Councillor G Thomas left the meeting before the presentation and took no part in the discussion or voting on the item.
Councillor G Thomas		Minute 39		CR/2015/0340/LBC 1 & 2 The Lychgate, Ifield Street, Ifield, Crawley	Personal Interest - CBC Representative on the Ifield Village Conservation Area Advisory Committee
Councillor G Thomas		Minute 39		CR/2015/0340/LBC 1 & 2 The Lychgate, Ifield Street, Ifield, Crawley	Personal and Prejudicial Interest – close personal family connection to the church. Councillor G Thomas left the meeting before the presentation and took no part in the discussion or voting on the item.

Protocol on Public and Ward Member Involvement in the Planning Process and Speaking at Development Control Committee

LDS/110

APPENDIX TO COUNCIL PROCEDURE RULES

PROTOCOL ON PUBLIC AND WARD MEMBER INVOLVEMENT IN THE PLANNING PROCESS AND SPEAKING AT DEVELOPMENT CONTROL COMMITTEE

Making a Written Representation

1. The Borough Council will publicise planning applications **on its website, by publishing weekly planning lists and carrying out notification in accordance with its agreed consultation protocol which may include display of site notices and/or neighbour letters.** ~~and individually notifying people who adjoin or face an application site in accordance with current criteria. In addition, site notices will be displayed where these are required by law and in other cases the applicants will be asked to display a notice.~~
2. People will have at least 21 days in which to comment and all representations ~~will be acknowledged~~ **are made available on the Council's website.** Those people who make representations will be notified of the Council's decision but, with the limited resources available, it will not be possible to enter into detailed correspondence on individual planning applications. Where applications are reported to the Development Control Committee representations received will be summarised in the written reports and/or orally.

Speaking Rights

3. Public speaking rights will apply to those submitting planning applications and/or their agents, representatives of civic or ~~amenity~~ **local representative** groups or members of the public who have made written representations to Development Control (either for or against) in respect of planning applications.
4. Public speaking rights will only apply in respect of any application made under the planning acts which fall to be determined by the Development Control Committee and will not apply to any applications to be determined by officers under the scheme of delegation. Public speaking rights will also apply where written representations have been made in respect of tree preservation orders and which are before the Committee for confirmation. Public speaking rights will not apply at accompanied site visits. The Development Control Committee deals with items other than planning applications, such as enforcement cases which may involve confidential information. The right to speak will not apply to these cases.
5. Applicants/agents/authors of written representations will be notified of their right to speak but it will be the responsibility of those parties to obtain confirmation of the date of the relevant Committee. Such information is available from the case officer named on the notification or acknowledgement letter.
6. Speakers will not have the right to ask other speakers, **applicants, employees of the Council or Committee members** ~~Councillors~~ questions. Equally, **Committee members** ~~Councillors~~ will not ask speakers questions other than for purposes of clarification.
7. Those people wishing to speak must register their interest by no later than 12 noon on the day of the Committee with the Democratic Services Division. In view of the time

limit set out below, if there are more than three objectors who wish to speak, the fourth person who telephones will be informed that they are unlikely to be able to speak because a maximum of nine minutes (3 minutes per person) is allowed for objectors.

8. **Any Ward Member or Cabinet Member who intends to make a representation should obtain prior consent from the Chair. Only those Ward Members whose wards are directly affected by an application will be permitted to speak. Any such representation shall be made from the public gallery.**
9. **Ward Members and Cabinet Members that have a Disclosable Pecuniary interest in a planning application that is before the committee for determination will not be able to speak or attend the meeting unless a dispensation has been granted by the Monitoring Officer beforehand.**

Ward Members/Cabinet Members Councillors with a personal or prejudicial interest in a planning application that is being discussed may speak at the Committee meeting. The existence and nature of such interests should be declared before a Member speaks on the planning application. If a Member has a personal and prejudicial interest in a planning application they can then make representations, answer questions or give evidence – *for the same length of time as a member of the public (i.e 3 or 5 minutes)*. Once they have finished their representation the Member must leave the room. The Chair of the Committee will decide when the Member exercises this right; however, it will be before any debate on the item.

10. Those people who have registered their desire to speak will be asked to arrive no later than ~~30~~ **15** minutes before the start of the Committee when they will be given a brief explanation of the arrangements/procedure. Speakers will be asked to ~~produce~~ **provide the Democratic Services Officer with** a written note of what they ~~have said~~ **intend to say** for record purposes.
11. ~~# Speakers are asked to give prior notification if they wish to use visual aids, such as the projector/ a computer, they will be asked to give prior notification.~~ **# Speakers are asked to give prior notification if they wish to use visual aids, such as the projector/ a computer, they will be asked to give prior notification.**
12. **No new documentation should be circulated to the Committee members at the meeting.**
13. **Messages should never be passed to individual Committee members, either from non-Committee members or from the public. This could be seen as seeking to influence that Member improperly and could create a perception of bias.**
14. The Chair of the Development Control Committee will have the discretion to alter the running order of the agenda. This can allow the Committee to consider those items where people have registered a desire to speak first.

Information which should be included in a representation:

15. **Speakers are advised that to make a statement of greatest impact they should:**
 - **Be brief and to the point.**
 - **Limit their views to the planning application.**
 - **Confine themselves to relevant planning considerations**
16. **Relevant planning considerations will vary depending on the nature of the site and the proposed development, but may include the following:**
 - **Local Plan Policies.**
 - **National Planning Policy Framework and other Government Guidance.**
 - **Planning law and previous decisions.**
 - **The density of development proposed for a site.**
 - **Highway safety and traffic issues.**
 - **Noise and disturbance.**
 - **Residential amenity.**

- **Design, character, appearance, visual impact and layout.**
- **Impact on trees and impact on the character of an area including Listed Buildings and Conservation Areas.**
- **Flooding and drainage.**

This is not meant to be a definitive or exhaustive list of relevant issues, but is merely guidance to illustrate what types of matters can be considered when a planning application is determined. The relevant considerations will vary from one case to another

- 17. The following issues would not be considered relevant:**
- **Matters covered by other legislation.**
 - **Private Property Rights eg Boundary or access disputes, restrictive covenants on the land or rights of way**
 - **The morals or motives of the developer.**
 - **Suspected future development.**
 - **Loss of views over other people's land.**
 - **Effect on the value of property.**
 - **Infringement of rights of light**
 - **Personal matters.**
- 18. Speakers should particularly note that they should not make any derogatory or defamatory remarks about a person. Any such comments may leave them open to legal action.**
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19. The order of speaking and the time allowed for each planning application:

- | | <u>Total Time Allowed</u> |
|--|---|
| 1. <u>Planning Officer:</u>
To introduce the application and report on representations received., including representations received after publication of the report | |
| 2. <u>Civic/Amenity Groups and Local Representative Groups</u> | <ul style="list-style-type: none">• 5 minutes Total time allowed 5 minutes |
| 3. <u>Objectors</u> | <ul style="list-style-type: none">• 3 minutes for individuals• 5 minutes if speaking on behalf of a group (provided there are not also individual objectors who wish to speak) Total time allowed: 9 minutes |
| 4. <u>Applicant or Agent and Supporters</u> | <ul style="list-style-type: none">• 3 minutes for applicant or agent• 3 minutes each for 2 supporters or 5 minutes if speaking on behalf of a group (provided there are not also individual objectors who wish to speak) Total time allowed: 9 minutes |
| 5. <u>Ward Members</u>
Where their ward is directly affected by the application. | <ul style="list-style-type: none">• 5 minutes |
| Cabinet Members | <ul style="list-style-type: none">• 3 minutes |
| 6. Planning Officer:
To deal with any errors of fact which have arisen. | |

Thereafter, ~~Councillors~~ **the Committee** will discuss the application, involving employees as necessary. There will be no further right for others to speak.

There is a need to limit the number of speakers and time allowed to speak to enable the Council to strike a balance between providing the opportunity for people to be heard and ensuring that applications are dealt with efficiently. To this end, ~~Civic Amenities~~ **Civic and Local Representative** Groups and objectors will be encouraged to select a joint representative in order to avoid duplication and ensure that all relevant points are made. The applicants/agents will have the right to control who speaks within their slot, subject to the time restrictions detailed above.