

# Crawley Borough Council

## Minutes of Development Control Committee

11 April 2016 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 and G Thomas

### 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
Clem Smith	Head of Economic and Environmental Services

### Apologies for Absence:

Councillor W A Ward

### 66. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors B J Burgess, D G Crow, F Guidera, R Sharma, M Stone and G Thomas had been lobbied regarding application CR/2016/0074/FUL.

### 67. Members' Disclosure of Interests

The following disclosures of interests were made by Members:

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor F Guidera	Minute 69	CR/2016/0102/FUL Land Adjacent to 73 East Park, Southgate, Crawley	Personal Interest – Knows the applicant.
Councillor A C Skudder	Minute 69	CR/2016/0102/FUL Land Adjacent to 73 East Park, Southgate, Crawley	Personal and Prejudicial Interest – Knows the applicant. Councillor A C Skudder left the meeting before the presentation

					and took no part in the discussion or voting on the item.
Councillor P C Smith		Minute 69		CR/2016/0005/FUL 5 Rutherford Way, Northgate, Crawley	Personal Interest – Board Member for Manor Royal Business Group
Councillor P C Smith		Minute 69		CR/2016/0030/FUL Land At Crompton Way, Manor Royal, Northgate, Crawley, RH10 9QR	Personal Interest – Board Member for Manor Royal Business Group
Councillor J Tarrant		Minute 69		CR/2016/0102/FUL Land Adjacent to 73 East Park, Southgate, Crawley	Personal Interest – Knows the applicant.

## 68. Minutes

The minutes of the meeting of the Committee held on [22 March 2016](#) were approved as a correct record and signed by the Chair.

## 69. Planning Applications List

The Committee considered report [PES/183](#) 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/183](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

#### Item 006

#### CR/2016/0074/FUL

4 Furnace Parade, Furnace Green, Crawley

Change of use from retail (A1) to cafe/restaurant (A3), including internal layout alterations & installation of external flue

Councillors K L Jaggard, P C Smith, M A Stone, J Tarrant and G Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and update. A further letter of objection had been received and the Committee was informed of a correction in the report, which was as follows:

Informative 2 to read:

With regard to acceptable BS4142 criteria: Noise from the extraction and ventilation system (and any other plant associated with the development) as assessed at any residential property in accordance with British Standard 4142, shall be such that there is a positive indication that complaints are unlikely. This means that the rating level of the noise which, in the case of fan noise, will normally include an additional 5dB correction for

distinct tonal characteristics must at least 10dB below the background noise level  $L_{(A)}90\text{dB}$ .

Mr Yusuf Buyukertas spoke in support of the application.

The Committee then considered the application. Some concerns were voiced regarding the potential impact from the fumes emanating from the external flue and also the possible increase in traffic congestion in relation to the parade. Further clarification was also sought on the hours of operation.

In responding to the Committee, the Principal Planning Officer informed Members that the suggested condition followed the hours the applicant had requested to operate whilst wider parking concerns were deemed outside the remit for consideration in the determination of this application.

**Permit** subject to conditions and informatives as set out in report [PES/183](#).

#### **Item 001**

#### **CR/2015/0552/NCC**

Forge Wood, North East Sector, Crawley

Application to vary Conditions Pursuant to Application CR/1998/0039/OUT for a New Mixed Use Neighbourhood at Forge Wood, Crawley (Amended Master Plan and Design Statement, Revised Ownership Certificates and Updated Application Form Received).

The Principal Planning Officer provided a verbal summation of the application and update. The Committee was informed that there had been a re-evaluation of the overall Master Plan, arising from changes in circumstances, in particular, the technical constraints that apply to the site and a reconsideration of certain elements of the layout and the disposition of land uses proposed for the site. The principal changes were outlined and included additional land for drainage and flood compensation resulting in a larger Central Parkland area, revisions to the Local Centre, amendments to access points and cycle routes together with relocation and reconfiguration of the play areas, playing fields and school site.

The Principal Planning Officer highlighted the following points:

- Condition 5 – contained the details of the layout, appearance, scale and landscaping of any part of the residential development and non-residential development (“reserved matters”).
- Condition 6 – contained the details of the time period for “reserved matters”.
- Condition 31 – further information relating to the Fire and Rescue infrastructure had been requested and would be finalised upon receipt of confirmation from WSCC.
- Condition 51 - a Safety Audit was also required which was currently with WSCC for consideration. The decision would be subject to final comments from WSCC and the condition would be amended as part of the agreement process.

Mr David Hutchison spoke in support of the application.

The Committee then considered the application. Some concerns were raised over the foul sewerage disposal together with the request for the Grampian style condition. Other issues raised included those relating to contamination investigation and remediation measures from the former abattoir site, the lack of recycling facilities and access to the neighbourhood centre. Queries were also raised about the health centre provision given the shortage of facilities in the town.

In responding to the committee, the Principal Planning Officer confirmed that whilst Thames Water had raised concerns regarding foul sewage disposal there was no condition imposed by the Inspector. Further comments received from Thames Water referred to ongoing discussions with the developer and possible solutions and it was therefore not considered appropriate to impose a condition. With regards to any contamination associated from the former abattoir site, remedial works had been undertaken in liaison with Environmental Health. In addition, the reference to recycling points within condition 28 had been removed as the recycling facilities have changed and improved within the borough. The requirement for a health centre was covered by the masterplan and associated condition. Members were also informed that whilst the neighbourhood centre was situated on the western part of the site and residents on the eastern side would need to navigate the Balcombe Road, a pedestrian phase has been included within the access and traffic schemes.

**Resolved to Permit** subject to the conditions and informatives set out in report PES/183 and subject to:

Receipt of satisfactory comments from WSCC on junction 12A Safety Audit and rewording of condition 51 accordingly;

Rewording of condition 31 Fire Infrastructure following comments received from WSCC  
Fire infrastructure

Rewording of condition 6 to include the relevant time periods and relevant reserved matters.

Preparation of a definitive list of plans to be referred to in Condition 68.

**Item 002**

**CR/2015/0718/ARM**

Phase 2b, Forge Wood, (North East Sector), Crawley

Approval of reserved matters for Phase 2b for 159 dwellings and related works pursuant to CR/1998/0039/OUT for erection of up to 1900 dwellings, 5000 sq.m of use Class B1, B2 & B8 employment floorspace, 2500 sq.m of retail floorspace, a local centre/community centre (including a community hall), a new primary school, recreational open space, landscaping, the relocation of the 132KV OHV power line adjacent to the M23, infrastructure and means of access

The Group Manager informed the committee that this item had been deleted from the agenda with prior agreement from the Applicant. As set out in report [PES/183](#), the application and recommendation should only be considered if satisfactory information had been provided to the LPA on the acoustic performance of the noise barrier. The Group Manager reported to the committee that no satisfactory information had been received.

**Item 003**

**CR/2015/0740/ARM**

Phase 2a Forge Wood (North East Sector) Crawley

Approval of reserved matters for Phase 2a for 90 dwellings, a pumping station and related works pursuant to CR/1998/0039/OUT for erection of up to 1900 dwellings, 5000 sq.m of use Class B1, B2 & B8 employment floorspace, 2500 sq.m of retail floorspace, a local centre/community centre (including a community hall), a new primary school, recreational open space, landscaping, the relocation of the 132KV OHV power line adjacent to the M23, infrastructure and means of access

The Group Manager provided a verbal summation of the application and update. The Committee was informed that in terms of design detailing a number of features were absent from the submission (although further plans had been received and needed to be checked) and any omissions would be controlled by way of conditions with their eventual discharge subject to the appropriate level of detail. Members were reminded that application CR/2015/0552/NCC was directly relevant to the determination of this reserved matter application.

Mr David Hutchison spoke in support of the application.

The Committee then considered the application. Clarification was sought on the scheme to demonstrate the dwellings would have sufficient protection from noise sources including the railway line and other mixed noise sources. In response, it was confirmed that no specific details had been proposed to address condition 34, however an appropriate condition had been recommended as part of the outline permission.

The committee complimented the Planning Officers for the thorough and comprehensive reports in relation to Forge Wood.

**Resolved to Approve** subject to the conditions and informatives set out in report [PES/183](#) and subject to:

The issue of the S73 permission (CR/2015/0552/NCC) and following this;  
Amendment of the application description and further publicity and,  
To impose any additional condition (s) in respect of the design details for the dwellings.

**Item 004**

**CR/2016/0005/FUL**

5 Rutherford Way, Northgate, Crawley

Demolition of existing building & erection of new building with associated parking, service yard & landscaping

Councillors M A Stone and J Tarrant declared they had visited the site.

The Group Manager provided a verbal summation of the application and update. The committee was informed that a report had subsequently been received from the Drainage Officer. Members were advised that conditions 4, 7, 8 and 10 were to be amended, with a new informative proposed relating to the BREEAM Certification:

Condition 4

Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the building shall be submitted to and approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

Condition 7

Within three months of the completion of the building a post-construction report will be submitted to and agreed in writing by the local planning authority verifying that the development has achieved the minimum Energy and Water standards for BREEAM 'Excellent', as detailed in the BREEAM UK New Construction 2014 scheme manual.

REASON: in order to accord with the sustainability measures required under policies ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030.

Condition 8

Development shall not be occupied until details of a ventilation and odour control scheme for the development have been submitted to and approved in writing by the Local Planning Authority. The approved ventilation and odour control scheme shall be fully implemented before the permitted use commences and shall thereafter be maintained in accordance with all approved details.

REASON: In the interest of the amenities of the locality and noise control in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

Condition 10

No development shall be occupied until such time as the existing vehicular access known as the 'North easterly access' onto Rutherford Way has been physically closed in accordance with plans and details submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of road safety.

New Informative no 8

The 'minimum Energy and Water standards for BREEAM 'Excellent'' referred to in condition 7 are the 'Minimum Standards' for 'Excellent' detailed in Table 4 of the BREEAM UK New Construction 2014 scheme manual under the 'Energy' and 'Water' issue categories. The relevant BREEAM Issues are Ene 01; Ene 02; Wat 01 and Wat 02. For 'Shell Only' and 'Shell and Core' assessments these requirements are applicable to the extent specified in the BREEAM UK New Construction 2014 scheme manual. The condition does not prescribe any particular overall BREEAM rating for the development.' For info the Table showing the minimum requirements is here:

[http://www.breeam.com/BREEAMUK2014SchemeDocument/#03\\_scoringrating\\_newcon/min\\_standards.htm%3FTocPath%3D3.0%2520Scoring%2520and%2520Rating%2520BREEAM%2520assessed%2520buildings%7C\\_\\_\\_\\_\\_2](http://www.breeam.com/BREEAMUK2014SchemeDocument/#03_scoringrating_newcon/min_standards.htm%3FTocPath%3D3.0%2520Scoring%2520and%2520Rating%2520BREEAM%2520assessed%2520buildings%7C_____2).

The Committee then considered the application.

**Permit** subject to the conditions, informatives set out in report [PES/183](#) and the conclusion of a S106 Agreement.

**Item 005**

**CR/2016/0030/FUL**

Land at Crompton Way, Manor Royal, Northgate, Crawley, RH10 9QR

Erection of a three storey office building with associated roof plant, car park, cycle parking and landscape works

Councillor M A Stone declared they had visited the site.

The Group Manager provided a verbal summation of the application and update. Members were informed that the detailed surface water drainage scheme information had subsequently been received by the LPA. The Committee was advised that conditions 4, 6 and 10 were to be revised as follows:

Condition 4

Before any work for the implementation of this permission commences, detailed plans and particulars of the land levels and the finished floor levels of the office building shall be submitted to and approved in writing by the Local Planning Authority, and the building shall be constructed in accordance with the approved levels.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

Condition 6

Within six months of the first occupation of the development the car parking area shall be constructed in accordance with the approved site plan. These spaces shall thereafter be retained at all times for their designated purpose.

REASON: To provide car-parking space for the use by the occupants of the office in accordance with INV4 of the Crawley Borough Local Plan 2015-2030.

Condition 10

A copy of the post-construction certificate, verifying that the office building has achieved the minimum Energy and Water standards for BREEAM 'Excellent', shall be submitted to the Local Planning Authority within one month of the construction of the car park being complete.

REASON: In the interest of Environmental Sustainability in accordance with ENV6 and ENV9 of the Crawley Borough Local Plan 2015-2030.

The Committee then considered the application. Clarification was sought on the potential impact on the surrounding wildlife, particularly nesting birds. In responding to the Committee, it was confirmed that measures for the protection and enhancement of biodiversity and an ecological assessment would be implemented resulting in an appropriate condition being recommended as part of the permission.

**Permit** subject to the conditions as set out in report [PES/183](#) and the entering into a Section 106 Agreement to secure infrastructure contributions.

**Item 007**

**CR/2016/0102/FUL**

Land adjacent to 73 East Park, Southgate, Crawley

Change of use from amenity land to private garden space together with erection of new 1.8m wall and fence

Councillor A C Skudder withdrew from the meeting before the presentation and took no part in the discussion or voting on the item.

Councillors K L Jaggard, P C Smith, M A Stone, J Tarrant and G Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and update. The Committee was informed that the issue relating to land ownership was not a material planning consideration in the determination of the application and the applicant had followed the correct notification procedure. It was also advised that the Stopping Up Order process (which is separate to the application) was underway

The Committee then considered the application. There was support for the application in that the land was currently not well maintained and it was felt it would not detract from the character of the surrounding area. Some concerns were raised regarding potential damage to tree roots. However in response it was noted that no adverse comments had been

received and the position of the wall was set back from the footpath and tree and the structure would have limited foundations and limited impact on the tree.

**Permit** subject to the conditions and informative as set out in report [PES/183](#).

## **70. Closure of Meeting**

With the business of the Committee concluded, the Chair declared the meeting closed at 8.55pm.

I T IRVINE  
**Chair**