

Crawley Borough Council



Minutes of Planning Committee 7 June 2016 at 7.30pm

Present:

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| Councillor | I T Irvine (Chair) |
| Councillor | C Portal Castro (Vice-Chair) |
| Councillors | B J Burgess, D Crow, R S Fiveash, F Guidera, K L Jaggard, S J Joyce, B MeCrow, M Pickett, T Rana, A C Skudder, P C Smith, M A Stone and J Tarrant |

Officers Present:

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| Kevin Carr | Legal Services Manager |
| Valerie Cheesman | Principal Planning Officer |
| Mez Matthews | Democratic Services Officer |
| Jean McPherson | Group Manager (Development Management) |
| Clem Smith | Head of Economic and Environmental Services |

1. Welcome

The Chair welcomed those members who were newly appointed to the Committee, as well as returning Committee members.

2. Lobbying Declarations

The following lobbying declarations were made by Members:

Councillors F Guidera, K L Jaggard, S J Joyce, B MeCrow, A C Skudder and P C Smith had been lobbied regarding application CR/2016/0109/FUL.

Councillor M A Stone had been lobbied regarding application CR/2016/0193/FUL.

Councillors B J Burgess, I T Irvine, K L Jaggard, S J Joyce, B MeCrow and J Tarrant had been lobbied regarding application CR/2016/0225/FUL.

3. Members' Disclosure of Interests

The following disclosures of interests were made by Members:

| Member | Minute Number | Subject | Type and Nature of Disclosure |
|---------------------------|----------------------|--|--|
| Councillor K L Jaggard | Minute 5 | CR/2016/0262/FUL Roundabout adjacent to Maidenbower Drive, Maidenbower, Crawley | Personal Interest as she had viewed the artwork in connection with the application. |
| Councillor P C Smith | Minute 5 | CR/2016/0216/FUL Unit 1, Power Avenue (part of the former GSK site), Northgate, Crawley | Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District. |
| Councillor P C Smith | Minute 5 | CR/2016/0349/FUL Unit D, Woolborough Lane, Northgate, Crawley | Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District. |

4. Minutes

The minutes of the meeting of the Committee held on [6 May 2016](#) were approved as a correct record and signed by the Chair.

5. Planning Applications List

The Committee considered report [PES/204](#) 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/204](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 003

CR/2016/0109/FUL

5 Barnwood, Pound Hill, Crawley.

Erection of two storey side extension.

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

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

The Agent, Mr James Nayler, spoke in support of the application.

The Principal Planning Officer advised that, although similar applications had been granted in the vicinity, they were set back further from the road and had more screening. The application property however, was located at the beginning of Barnwood and there was an open view from the highway. The main concern of the officers related to the design of the proposed development and the impact on the character of the existing property and that of the Area of Special Local Character.

The majority of the Committee was of the opinion that similar applications had been granted and developed in the vicinity and that some of the other dwellings in the area were of a similar height, or taller, than the application premises.

The Officer recommendation was overturned and a subsequent vote for approval was passed subject to the following conditions:

Condition 1

"The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.

REASON: To comply with Section 91 of the Town & Country Planning Act 1990."

Condition 2

"The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed in this Decision Notice save as varied by the conditions hereafter.

REASON: For the avoidance of doubt and in the interests of proper planning."

Condition 3

"The materials and finishes of the external walls (and roof(s)) of the building(s) hereby permitted shall match in colour and texture those of the existing building(s).

REASON: In the interests of amenity in accordance with Policies CH3 of the Crawley Borough Local Plan 2015-2030."

Condition 4

"Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 as amended no windows or other openings (other than those shown on the plans hereby approved) shall be formed in the first floor wall of the extension without the prior permission of the Local Planning Authority on an application in that behalf.

REASON: To protect the amenities of adjoining residential properties, in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030."

Permitted subject to the conditions detailed above.

Item 005

CR/2016/0166/FUL

56-60 North Road, Three Bridges, Crawley.

Demolition of three houses and erection of 24 (14 x 2 bedroom and 10 x 1 bedroom) apartments, access, parking and associated landscaping.

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

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

Mr Tony Otter addressed the Committee in objection to the application and raised the following concerns regarding the proposed development:

- It would be out of character with the area and would dwarf the neighbouring properties;
- It would provide limited open space and car parking;
- It could increase noise and light pollution;
- There would be an increase in traffic within the area.

Mr Paul Scott then addressed the Committee in objection to the application and raised the following points:

- A neighbouring property had a 7m extension which was not shown on the drawings presented by the officers, and as such the distances between the properties provided by the officers were incorrect;
- The proposed development would overlook his property;
- The proposed development provided limited car parking;
- The proposed development could create a lack of water pressure for his property.

The Agent, Mr Simon Bale, addressed the Committee and informed it that:

- The proposed development would help address the housing needs of the Borough and that the development would provide 100% affordable housing which would be offered to Borough residents;
- The proposal was a revised scheme which contained fewer dwellings than the previous application;
- The current proposal was in keeping with the local area and met the space standards identified in the Crawley Borough Local Plan 2015-2030.

The Committee noted the concerns raised by the objectors and the points put forward by the Agent. Several Committee members were of the opinion that the number of parking spaces provided for the development would not be sufficient which could cause inconvenience for local residents, although it was acknowledged that West Sussex County Council's Highways Department had not raised an objection to the application and that the number of parking spaces provided complied with the Council's parking standards. Some Committee members were concerned that the development would be out of keeping with the character of the area, however it was noted that there were a variety of dwelling sizes in the area, including Goepel Court. The Committee acknowledged that the proposal would meet the Council's standards, would provide increased affordable housing and provided more parking spaces than most comparable developments.

In response to queries and comments made by the Committee as well as the concerns raised by the objectors, the Principal Planning Officer stated the following:

- Paragraph 3.2 of the report provided a planning history for a previously permitted outline application. That outline permission had been for a similar concept and set a precedent for the current application.
- Changes had been made to the application following discussion with the Urban Design Officer;
- The development was not in a conservation area or Area of Special Local Character and there was a variety of building styles and sizes in the area;
- The 7m extension to the neighbouring property had been included on the location plan. The windows facing the southern elevation extension would be obscured and those on the eastern elevation would face the rear windows of number 54 North Road at an angle and were therefore considered acceptable;
- Any issues relating to water pressure would be dealt with under the building regulations.

- Any Japanese Knotweed on the site would be dealt with under the Environment Agency Regulations

The Committee then considered the application.

At the request of Councillor B J Burgess, and in accordance with Council Procedure Rule 18.5, the names of the Members voting for and against the motion (to permit) and abstentions were recorded as set out below:

For the Proposal (to permit):

Councillors R S Fiveash, F Guidera, I T Irvine, K L Jaggard, S J Joyce, B McCrow, M Pickett, C Portal Castro, A C Skudder, P C Smith, M A Stone and J Tarrant (12).

Against the Proposal (to permit):

Councillors B J Burgess, D Crow and T Rana (3).

Abstentions:

None.

With the vote being 12 for the proposal (to permit) and 3 against the proposal (to permit), the proposal was CARRIED, and the application was therefore:

Permitted subject to the conclusion of a Section 106 legal agreement to secure affordable housing and infrastructure contributions, and the conditions and informatives set out in report [PES/204](#).

Item 008

CR/2016/0225/FUL

27 Forge Road, Three Bridges, Crawley.

Change of use of amenity land to private garden (revised location plan and block plan).

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

The Principal Planning Officer provided a verbal summation of the application and informed the Committee that an additional condition was required concerning boundary treatment to ensure visibility of pedestrians and protection of the tree.

Mr Muhammed Amer, the brother of the Applicant, spoke in support of the application and made the following points:

- The proposed change would “square up the property” with the land boundary being in line with the boundary of the property;
- The objections to the application were based on a change of use of the entire piece of amenity land, the application was for 1.2m of the width of the land and not the entire plot;
- The application was for a small strip of land which would be used as a driveway.

Councillor R G Burgess (Ward Member for Three Bridges) addressed the Committee and made the following comments in objection to the application:

- The applicant was applying for permission on land which they did not yet own and the application should be deferred until the ownership had been transferred;

- The Arboricultural Officer had raised concerns regarding the tree on the amenity land;
- The loss of amenity land would be detrimental.

The Committee then considered the application. Although several members of the Committee were concerned that, should the application be approved, it could set a precedent for the sale of amenity land, the Committee acknowledged that the application was for a small strip of land and that a large proportion of the amenity land would remain.

In response to concerns raised by the Committee and the Ward Member, the Principal Planning Officer stated the following:

- The ownership of the land was not a planning consideration and the Committee should consider the application as it was before them and the ownership issue was not grounds to defer the application;
- An applicant does not have to be the owner of the land in order to submit a planning application;
- The Arboricultural Officer had not raised an objection, subject to the inclusion of a condition relating to the method of surfacing the driveway, the materials to be used and the boundary treatment;
- The Committee could not require that the development be started, but could require that, should a driveway be implemented, it be done in accordance with the conditions of the permission and the approved details.

The Committee agreed that the following new condition be added:

New Condition No. 5

“Prior to the commencement of development, details of the boundary treatment along the eastern boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the length and height of the fencing and details of the foundations. The development shall be implemented in accordance with the approved details.

REASON: In the interests of visual amenity, in order to safeguard the health of the mature trees on the adjoining amenity land and to ensure adequate pedestrian safety and visibility for the widened driveway in accordance with policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030.”

Permitted subject to conditions and informative set out in report [PES/204](#) and the new condition above.

Item 001

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 and 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.

Councillor F Guidera declared he had visited the site.

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

The Agent, Mr David Hutchison, addressed the Committee in support of the application.

The Committee then considered the application.

Approved subject to conditions and informatives set out in report [PES/204](#).

Item 002

CR/2016/0048/ARM

Phase 1, Forge Wood (North East Sector), Crawley.

Approval of reserved matters for phase 1 for the erection of a primary school with sports pitches and courts, playing fields, playground, car and cycle parking, internal access roads, footpaths and circulation areas, hard and soft landscaping, and other associated infrastructure and engineering works (amended plans received).

Councillor K L Jaggard declared she had visited the site.

The Principal Planning Officer provided a verbal summation of the application and updated the Committee as follows:

- Crawley Borough Council's Refuse and Recycling Team had raised no objection to the revised refuse vehicle arrangements;
- The Environment Agency had required further information regarding drainage issues. This was covered by Condition 12 ;
- The revised Noise Report had been considered and required clarification. The issue could be dealt with by the condition discharge request;
- Gatwick Airport Limited had stated that the Bird Management Plan was appropriate. An amendment to condition 8 was therefore necessary;
- The Lighting Strategy had only been received that day and so Gatwick Airport Limited and Environmental Health had not yet been re-consulted. It would therefore be necessary to keep the condition relating to the Lighting Strategy;
- A precise sample of the roofing material was required. The matter would be dealt with by the condition discharge request;
- The requirement for a Travel Plan could not be imposed as a condition current Condition No.5 should be changed to an informative.

The Agent, Mr David Hutchison, addressed the Committee in support of the application.

The Committee then considered the application and made the following comments and queries:

- The provision for expansion of the school was welcomed;
- Whether the proposed expansion footprint of the school could be built at the same time as the main building.

Following comments and concerns raised by the Committee, the Principal Planning Officer stated the following:

- It was anticipated that the bus service to Forge Wood would become permanent once the development was complete;
- The outline planning permission had allowed for the school to be two-form entry and expansion at this time was not a requirement;
- The football pitches could be repositioned if/when the school was expanded;
- As a result of an in-depth discussion with the applicant, the applicant had undertaken sustainability measures through the use of materials, ventilation

and acoustics. Solar panels could be added at a later date should the applicant/school wish to do so;

- West Sussex County Council was satisfied with the car park and its access. School safety measures had been included as a condition.

The Committee agreed that Condition 8 be amended to read as follows:

Amended Condition No. 8

“The Bird Hazard Management Plan shall be implemented as approved, upon completion of the roof and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the environment of the development and to mitigate bird hazard and avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds, in the accordance with Policy CH3 of the Crawley Borough Local Plan 2015 – 2030.”

The Committee also agreed that Condition No.5 be deleted and the following new informative be added:

Informative No.4

“Travel Plan – The applicant and the school are advised to prepare a School Travel Plan to encourage pedestrian and cycle access to the school. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.”

Approved subject to conditions and informatives set out in report [PES/204](#) and the amended condition, deleted condition and new informative above.

Item 004

CR/2016/0115/FUL

23 Ash Road, Three Bridges, Crawley.

Garage conversion to habitable accommodation and provision of 3rd parking space to front.

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

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

The Committee then considered the application. Following comments and concerns raised by the Committee, the Principal Planning Officer stated the following:

- Should officers suspect that the property was not being used in accordance with the conditions of the house in multiple occupation (HMO) then officers had the right to enter the premises and investigate. Should a breach of conditions be found then enforcement action could be taken;
- Cycle space was not a necessary requirement.

Permitted subject to conditions and informative set out in report [PES/204](#).

Item 006

CR/2016/0193/FUL

40 Crabbet Road, Three Bridges, Crawley.

Erection of front and rear extensions and loft conversion (amended plans received).

Councillors F Guidera, K L Jaggard, M A Stone and J Tarrant declared they had visited the site.

The Group Manager provided a verbal summation of the application. Following a query from the Committee the Group Manager confirmed that the word "approximately" should be deleted from the first sentence of paragraphs 2.2 and 5.8 as she confirmed that the proposed single storey rear extension would project exactly 3.3 metres from the rear elevation and would extend the full width of the property.

The Committee then considered the application.

Permitted subject to conditions set out in report [PES/204](#).

Item 007

CR/2016/0216/FUL

Unit 1, Power Avenue (part of the former GSK site), Northgate, Crawley.

Erection of secondary roof over the existing roof mounted plant with associated changes to the existing elevation screening.

Councillors P C Smith and J Tarrant declared they had visited the site.

The Group Manager provided a verbal summation of the application and updated the Committee as follows:

- The Crawley Borough Council Environmental Health Department had raised no objection to the application;
- West Sussex Council Council's Highways Department had raised no objection to the application.

The Committee then considered the application.

That the Head of Economic and Environmental Services be delegated authority to await expiry of the consultation period on 15 June 2016 and consider any late representations received during that period, with a view to **PERMIT** subject to conditions and informative set out in report [PES/204](#).

Item 009

CR/2016/0262/FUL

Roundabout adjacent to Maidenbower Drive, Maidenbower, Crawley.

Relocation of artwork with three circular hollow steel metal poles 7m in length and rotating figures fixed to the top from Worth Way to Maidenbower Drive, adjacent to the roundabout.

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

The Group Manager provided a verbal summation of the application.

The Committee was pleased to see that the artwork would be relocated to a more prominent location.

The Committee then considered the application.

Permitted subject to conditions set out in report [PES/204](#).

Item 010

CR/2016/0349/FUL

Unit D, Woolborough Lane, Northgate, Crawley.

Change of use from industrial unit with ancillary offices to B8 warehouse with ancillary offices.

Councillors P C Smith, M A Stone and J Tarrant declared they had visited the site.

The Group Manager provided a verbal summation of the application.

The Committee then considered the application.

Permitted subject to conditions set out in report [PES/204](#).

**6. Exclusion of the Public
RESOLVED**

That in accordance with Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act by virtue of the paragraph specified against the item.

**7. ENF/2016/0059: Proposed Enforcement Action
(Exempt Paragraph 6 – notice/order)**

The Committee noted that consideration of report PES/218 of the Head of Economic and Environmental Services would be deferred and an updated report taken to the next Committee meeting.

RESOLVED

That consideration of report PES/218 be deferred to the next Committee meeting.

8. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 9.35pm.

I T IRVINE
Chair