

Crawley Borough Council



Minutes of Planning Committee 1 August 2016 at 7.30pm

Present:

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 McCrow, M Pickett, T Rana, A C Skudder, P C Smith, M A Stone and J Tarrant

Officers Present:

Kevin Carr	Legal Services Manager
Heather Girling	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Marc Robinson	Principal Planning Officer
Clem Smith	Head of Economic and Environmental Services

Apologies for Absence:

None

16. Lobbying Declarations

The following lobbying declarations were made by Members:

Councillor B J Burgess had been lobbied regarding application CR/2016/0384/FUL.

17. Members' Disclosure of Interests

No disclosures of interests were made.

18. Minutes

The minutes of the meeting of the Committee held on [4 July 2016](#) were approved as a correct record and signed by the Chair.

19. Objections to the Crawley Borough Council 34 Rosamund Road, Furnace Green Tree Preservation Order No. 11/2016

The Committee considered report [PES/220](#) of the Head of Economic and Environmental Services which sought to determine whether to confirm the Tree

Preservation Order (TPO) with or without modification for continued protection or, not to confirm the TPO.

Councillors R Fiveash, I T Irvine, K L Jaggard and M A Stone declared they had visited the site.

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

Mrs Carolyn Cratchley, Mr Gary Mortiboys and Mr Peter Thomas spoke in objection to the TPO.

The Committee then considered the report. The Committee acknowledged the concerns raised in objection, notably those relating to amenity value, structural damage, impact on wildlife and deprivation of sunlight. Some Members acknowledged the 'branch and leaf drop' experienced by residents and felt the tree was dominant and overbearing, whilst others noted that the tree was a healthy specimen and required regular maintenance as with all garden trees. The Principal Planning Officer confirmed that the tree owner remained responsible for the tree. It was pointed out that the placing of the Order would not preclude any future works, or indeed the felling of the tree if evidence was provided to the Local Planning Authority that this was necessary.

The Committee agreed to confirm the TPO without modification.

Confirmed

20. Planning Applications List

The Committee considered report [PES/206](#) 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/206](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications the decisions be given as indicated:-

Item 2

CR/2016/0384/FUL

9 & 11 Home Close, Pound Hill, Crawley

Erection of three detached dwellings and single detached garage with access off Pembroke Road.

Councillors R Fiveash, I T Irvine, 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 and update.

The Committee was informed that a further representation had been received seeking clarification of a condition and the siting of the trees in the arboricultural impact assessment. It was confirmed there would be no fundamental change to the trees to be removed, retained and protected, particularly as many of the trees were protected

with tree preservation orders and would prevent overlooking. Plans had also been amended during the course of consideration of the application to improve access, parking and turning on the site. Members were advised that conditions 5, 6, 7, 8, 10, 12, 13, 16, 17 and 18 were to be amended with the subsequent deletion of condition 11.

Condition 5

No windows (other than those shown on the plans hereby approved) shall be constructed in the east elevations of plots 1 and 2, the second floor east elevation of plot 3 and the north elevations of plots 1 and 2 of the dwellings hereby permitted without the prior permission of the Local Planning Authority on an application in that behalf.

REASON: To protect the amenities and privacy of the adjoining property in accordance with Policy CH3 of Crawley Borough Local Plan 2015-2030.

Condition 6

The first floor windows on the south elevation of plots 2 and 3 and second floor windows on the east elevation of plots 1, 2 and 3 in the dwellings hereby permitted shall at all times be glazed with obscured glass and apart from any top-hung vent, be fixed to be permanently non-opening.

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

Condition 7

The second floor level non-accessible flat roof on the western (rear) elevation of the buildings hereby permitted shall be implemented and retained in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details prior to occupation and at no time shall the flat roofs be used as a balcony or terrace nor shall any access be formed thereto.

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

Condition 8

Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and C of the Town and Country Planning General Permitted Development Order 2015 or orders amending or revoking and re-enacting the same, the building shall not be extended or altered in any way unless permission is granted by the Local Planning Authority on an application in that behalf.

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

Condition 10

The vehicle parking areas / footpaths, new areas of hardstanding and new driveway as shown on approved plans drawing numbers D16081-A-1001 Rev P2 shall either be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

REASON: To reduce the potential for surface water run-off and to protect existing trees to be retained in accordance with policies CH6 and ENV8 of Crawley Borough Local Plan 2015-2030.

Condition 11 - DELETED

Condition 12

The residential units shall not be occupied until details have been submitted to the Local Planning Authority and agreed in writing to demonstrate that the units shall

achieve a water efficiency standard by consuming not more than 110 litres per person per day maximum water consumption. The measures shall thereafter be implemented in accordance with the agreed details.

REASON: In the interests of sustainable design and efficient use of water resources in accordance with policy ENV9 of the Crawley Borough Local Plan 2015-2030

Condition 13

Development shall not begin until a flood risk mitigation measures and surface water and foul water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority in consultation with the Environmental Agency. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include soakaway testing to BRE 365 to determine the suitability of the ground conditions for infiltration. Groundwater monitoring should also be carried out. Details of how any subsequent scheme should be maintained and managed after completion should also be included.

Any infiltration device should be lined with a permeable membrane, and should be installed with a base no less than 1m above the underlying groundwater level. The design should also include sub-base material that would act as a filter for waterborne contaminants.

REASON: This is to comply with the Crawley TCN Revised Supplementary Planning Document, the Crawley Strategic Flood Risk Assessment Development Control Recommendations and to ensure future maintenance of the surface water drainage system. Additionally, the underlying Upper Tunbridge Wells Sands aquifer may hold groundwater only 2m to 3m below ground level. This condition is to reduce the risk of a discharge of water directly to the groundwater and to reduce the risk of contaminants polluting the groundwater.

Condition 16

Any excavations carried out in the root protection area of any trees shall be carried out in accordance with the provisions laid out in BS 5837: 2012 - Trees in relation to design, demolition and construction.

REASON: To ensure the retention of the trees important to the visual amenity, the ecological quality and for the environment of the development in accordance with Policy CH3 and CH6 of the Crawley Borough Local Plan 2015-2030.

Condition 17

No trees or bushes growing and to be retained on the site shall be damaged, uprooted, felled, topped or lopped without the prior written consent of the Local Planning Authority until two years after completion of the development hereby permitted. Any trees removed without such consent or being severely damaged or becoming seriously diseased or dying before the end of that period shall be replaced with trees of such size and species as may be agreed with the Local Planning Authority.

REASON: To ensure the retention of vegetation important to the visual amenity / the ecological quality / and for the environment of the development.

Condition 18

No dwellings shall be occupied until there has been submitted to, and approved by, the Local Planning Authority a landscaping scheme. The approved details of the landscaping shall be carried out in the first planting and seeding season, following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or

diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.
REASON: In the interests of the amenity and of the environment of the development in accordance with policy CH3 and CH7 of the Crawley Borough Local Plan 2015 - 2030.

The Applicant Mr Trevor Harman, spoke in support of the application, whilst Councillor R D Burrett, as a Ward Councillor for Pound Hill North, addressed the Committee in objection to the application.

In response to queries and comments raised by Councillor R D Burrett, the Group Manager stated the following:

- Windows glazed with obscured glass had been agreed as part of the conditions.
- At no time shall the flat roofs be used as a balcony or terrace nor shall any access be formed.
- The hedge containing Laurel, Holly and Lawson Cypress would be retained as it would assist in screening the dwellings.
- A section 106 agreement was not applicable for this development as it was a modest development of 3 dwellings and the funding thresholds had changed. In addition, WSCC had raised no objection to the proposal and confirmed there were no visibility issues at the point of access onto Pembroke Road and the access driveway had been widened.
- The Environment Agency, Council's Drainage Officer and Environmental Health Department had been consulted. It was recommended that conditions would be appropriate to ensure that any future drainage issues were appropriately mitigated together with a pre-commencement condition to deal with any contamination of the land and/or ground water.

The Committee then considered the application and sought clarification on the provision for refuse collection. It was noted that the applicant proposed a management service would move refuse on the day of collection, however concerns were raised with regards to potential access and congestion. Clarity was also sought with reference to the energy measures to be secured via condition. The Committee agreed that the following new conditions be added:

New condition

The dwellings shall not be occupied until written details have been submitted to and approved in writing by the Local Planning Authority to show the refuse collection arrangements for the dwellings. The measures shall thereafter be implemented in accordance with the agreed details.

REASON: To ensure adequate operational requirements for the dwellings in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

New condition

No development shall take place until precise details of the energy strategy and sustainability measures for the new dwellings which are referred to in the Design and Access Statement have been submitted to and agreed in writing by the Local Planning Authority. The dwellings shall not be occupied until the agreed measures have been implemented.

REASON: To address sustainability measures required under policies ENV6 and ENV9 in the Crawley Borough Local Plan 2015-2030.

Permit subject to the conditions and informatives set out in report [PES/206](#) along with the amended and new conditions above.

Item 1

CR/2016/0372/FUL

Langley Grange, Langley Walk, Langley Green, Crawley

Change of use from hostel accommodation to a single dwelling.

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

The Principal Planning Officer provided a verbal summation of the application. It was proposed to restore the building to a condition prior to its use as a hostel.

The Committee then considered the application.

Permit subject to conditions set out in report [PES/206](#).

Item 3

CR/2016/0394/RG3

Ridleys Court, Milton Mount Avenue, Pound Hill, Crawley

Permission for replacement of white uPVC windows for dark green softwood timber double glazed windows; replacement of uPVC downward pipes and gutters with heritage cast iron; New external lighting and new entrance panel.

Councillors K L Jaggard, 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 the materials to be used in the development would be subject to a condition.

The Committee then considered the application. Clarification was sought as to the exact number of external lights to be replaced. In response, it was noted that the external lighting would not be sited above first floor level and would not be different to the existing lighting currently in place. However, it was recognised that the proposed development included eighteen new external lights on the fabric of the existing building and therefore a condition could be added to the listed building consent application.

Members were reminded that application CR/2016/0395/LBC was related to this application.

Permit subject to conditions and informatives set out in report [PES/206](#).

Item 4

CR/2016/0395/LBC

Ridleys Court, Milton Mount Avenue, Pound Hill, Crawley

Listed building consent for replacement of white uPVC windows for dark green softwood timber double glazed windows; replacement of uPVC downward pipes and gutters with heritage cast iron; New external lighting and new entrance panel.

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

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

The Committee then considered the application and further to the discussion that occurred within the planning application previously granted, Members expressed concerns relating to the external lighting and wished to improve the building without causing harm to the locality. A new condition was therefore added:

New condition 7

Notwithstanding the approved plans, no lighting shall be installed until full details of the existing lighting to be retained and the new lighting to be installed have been submitted to and been approved in writing by the Local Planning Authority. Any existing lighting that does not form a part of the approved details shall be removed prior to the installation of the approved lighting.

REASON: To ensure the special architectural and historic character of the Listed Building is protected in accordance with policy CH15 of the Crawley Borough Local Plan 2015-2030.

Consent granted subject to conditions and informative set out in report [PES/206](#) and the new condition above regarding the lighting. The detailed matters submitted to discharge the lighting condition to be delegated to the Head of Economic and Environmental Services, in consultation with the Chair of the Planning Committee.

21. Closure of Meeting

With the business of the Committee concluded, the Chair declared the meeting closed at 9.00pm.

I T IRVINE
Chair