

Crawley Borough Council

Minutes of Planning Committee

21 March 2017 at 7.30pm

Present:

Councillor I T Irvine (Chair)

Councillors B J Burgess, D Crow, R S Fiveash, F Guidera, K L Jaggard, S J Joyce, P K Lamb, B McCrow, T Rana, A C Skudder, P C Smith, M A Stone and J Tarrant.

Also in Attendance:

Councillor R G Burgess.

Officers Present:

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

Apology for Absence:

Councillor C Portal Castro (Vice-Chair)

65. Councillors Pickett and Lamb

The Chair conveyed the Committee's best wishes to Councillor Pickett who was currently unwell and could not attend this meeting, and would be unable to attend other meetings of the Committee for a short while. In wishing Councillor Pickett a speedy recovery, the Chair welcomed Councillor Lamb as the newly appointed (replacement) Member of the Committee.

66. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors Guidera, Stone and Tarrant had been lobbied regarding application CR/2016/0600/FUL.

Councillors B J Burgess and P C Smith had been lobbied regarding applications CR/2017/0033/RG3 and CR/2017/0035/RG3.

67. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor Skudder	Minute 69	CR/2016/1020/FUL 2 - 3 Gatwick Road, Northgate, Crawley.	Personal and Prejudicial Interest – Was an employee of Thales. Councillor Skudder left the meeting before consideration of this application and took no part in the discussion or voting on the item.
Councillor P C Smith	Minute 69	CR/2016/1020/FUL 2 - 3 Gatwick Road, Northgate, Crawley.	Personal Interest as he was a Local Authority Director of the Manor Royal Business Improvement District and was the Cabinet Member for Planning and Economic Development.

68. Minutes

The minutes of the meeting of the Committee held on [27 February 2017](#) were approved as a correct record and signed by the Chair.

69. Planning Applications List

The Committee considered report [PES/215](#) 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/215](#) of the Head of Economic and Environmental Services and in the Register of Planning Applications, the decisions be given as indicated:-

Item 004

CR/2017/0035/RG3

Scallows Close, Three Bridges, Crawley.

Change of use of existing grass verge/green space adjacent to the public carriageway to form additional parking spaces.

Councillor Stone declared he had visited the site.

The Group Manager (Development Management) referred to a letter of representation received earlier that day from the Three Bridges Forum raising the same issue in respect of both this application and Lavant Close (CR/2017/0033/RG3), which was to be considered later at this meeting.

The letter stated that the Forum supported both applications on the basis residents were in favour of converting small areas of green space to improve on-street parking provision. However, there was concern that reference to Section 8 of the NPPF (National Planning Policy Framework) should be included in the officer report and whether the surplusness test should be applied to proposal's which incorporated a loss of amenity green space.

In response to this the Group Manager stated that paragraphs 73 and 74 in the NPPF which fell within Section 8 dealt with open space and required planning policies to be based on up to date assessments of the need for open space. The current Local Plan was supported by an Open Space, Sport and Recreation Study prepared in 2013 which addressed this requirement. The study excluded sites below 0.2ha from the quantity analysis as these were classified as 'visual amenity space' rather than amenity green space and therefore the case officer did not need to apply the surplusness test for proposals which involved these very small areas of visual amenity land. The consideration was as set out in the officers report, the loss of the land in terms of its visual amenity and as part of the wider character of the area.

The Group Manager conceded that, as Officers they should perhaps have referenced Section 8 in the report if only to explain that due to its limited size it would have been excluded from the surplusness test based on the local plan evidence base (Open Space Study).

The Principal Planning Officer provided a verbal summation of the application and provided the following updates to the report:

- West Sussex County Council had confirmed that they had no objections on highway safety grounds.
- The County Council had recommended an additional condition to ensure that parking and turning areas were in accordance with approved details.
- An issue raised by a resident regarding the condition of the brick wall on the boundary to the east of no. 27 Scallows Close was not a planning consideration.

Councillor R G Burgess, as a Ward Member for Three Bridges, addressed the Committee on behalf of the Three Bridges Forum. He raised the matter regarding the surplusness test, which had been addressed earlier by the Group Manager as part of the discussion on this application.

The Committee then considered the application and the issues raised, and thanked the Officers for the considerations and guidance provided relating to the surplusness test.

Permitted, subject to the conditions listed in report [PES/215](#) and the additional condition referred to above, as recommended by WSCC and as detailed below.

The vehicle parking and turning spaces shall not be in use until they have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

Item 001

CR/2016/0600/FUL

Woodland at Keepers, Tilgate Drive, Tilgate, Crawley.

Application for permanent permission previously permitted on a temporary basis under CR/2015/0041/FUL for change of use to clay pigeon shooting area and erection of shed

Councillors Jaggard and Tarrant declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and provided the following updates to the report:

- Further objections to the proposals had been received from residents, including those on the grounds of disturbance to wildlife, increasing traffic in the area, noise from the shoot, safety in terms of the fall of shot, the overall build-up of noise in the area generally and disruption to the quiet enjoyment of their properties.
- In terms of Paragraph 5.14 of the report, it was emphasised that it was the responsibility of the operator of the site to ensure its operational safety.

The Committee then considered the application and the issues raised. In respect of Condition 5 it was proposed that the site shall only be used for clay pigeon shooting between the hours of 1000-1600 on one day only in any individual week between Tuesday and Friday and 1000 - 1400 on alternate Sundays. There shall be no shooting at any other times, including bank holidays and public holidays. A Member referred to the fact that whilst the Condition stated "There shall be no shooting at any other times, including bank holidays and public holidays" there were occasions when such holidays would fall on a Friday, including Easter Good Friday. This was acknowledged by Officers, who advised that arrangements would be made to ensure the rewording of that Condition to cover and clarify this issue. In response to other issues raised, the Principal Planning Office explained that:

- The Applicant was using a lighter range of shot to increase safety as this had less range.
- The paths around the site were privately owned and not public footways.
- A small number of trees had been removed, whilst the majority of larger mature trees remained, with the overall character of the site being undisturbed.
- The impact on bio-diversity was considered low and the level of activity did not appear to have a significant impact in this regard.
- The reason in delaying the submission of the report was to allow a much better opportunity to monitor noise and to seek to control the use of the site to limit any impact on people living in the area.
- Whilst some Members referred to the possibility of granting further temporary permissions, there was little evidence to back-up objections and no sustainable reasons to refuse permanent permission.
- The Environmental Health department had not received any objections.
- There had been no objections received from the Crawley Girl Guides Association, located in Tilgate Park.
- The new Little Trees Cemetery site is to the south west, whilst shooting was to the south east.
- The restrictions on the number of shooting hours, the limited days of operation, the limited number of people that attended, and the layout requiring shooting towards the south east, limited the extent of any nuisance.
- The use could take place without planning permission under permitted development for 28 days in any calendar year.

Permitted, subject to the conditions listed in report [PES/215](#), and the rewording of Condition 5 to clarify the non-use of the site for clay pigeon shooting during bank holidays and public holidays, as referred to above. Condition 5 as finally worded is as follows:-

There shall be no shooting on bank holidays and public holidays.

The site shall only be used for (clay pigeon) shooting between the hours of 1000-1600 on only one working day between Tuesday and Friday in any week, and between 1000 - 1400 on alternate Sundays.

REASON: To safeguard the amenities of neighbouring properties and the users of nearby facilities in accordance with policy ENV11 of the Crawley Borough Local Plan 2015-2030.

Item 002

CR/2016/1020/FUL

2 - 3 Gatwick Road, Northgate, Crawley

Erection of one B1 operations building and one B1/D1 training & office building, both with ancillary uses and associated landscaping and car parking.

Councillors Jaggard, Stone and Tarrant 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 confirmed that:

- The matter of flood risk prevention, as set out in the Council's Local Plan 2015 – 2030, Policy ENV8 (Paragraph 4.17 of the report refers), had been addressed in Paragraph 5.14 of the report.
- In terms of landscaping, the intention was to provide a robust and structured landscaping design. Details of the proposed landscaping, fencing and boundary treatment of the site generally, including the protection of trees along the boundary of the Crawters Brook site, were proposed to be controlled via condition.

Members indicated their general support for the application and felt that the design and layout was of a high quality and that the design had considered its surroundings and neighbours.

Permitted, subject to the conclusion of a S106 Agreement and the conditions listed in report [PES/215](#).

Item 003

CR/2017/0033/RG3

Lavant Close, Gossops Green, Crawley

Change of use of from soft landscaping/footpath to a public carriageway to form additional parking spaces (amended plans)

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

The Principal Planning Officer provided a verbal summation of the application and provided the following updates to the report:

- The representations made on the surplusness test, as detailed in the application above for Scallows Close (CR/2017/0035/RG3), also applied to this Lavant Close application.
- West Sussex County Council had confirmed that they had no objections on highway safety grounds.
- The County Council had recommended an additional condition to ensure that parking and turning areas were in accordance with approved details.

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

- That in terms of the intended new bays, including the disabled bays, those bays would be marked and implemented in accordance with proposals and as confirmed by the Highways Authority.
- It would be for the Police to deal with obstructions should vehicles be parked vertically in the site laybys concerned.

Permitted, subject to the conditions listed in report [PES/215](#) and the additional condition referred to above, as recommended by WSCC and as detailed below.

The vehicle parking and turning spaces shall not be in use until they have been constructed in accordance with the approved plan. These spaces shall thereafter be retained for their designated use.

Reason: To provide adequate on-site car parking and turning space for the development.

70. Objections to the Crawley Borough Council Tree Preservation Order Land Adjacent To Moka, Station Way, Northgate - 23/2016.

The Committee noted that with the agreement of the Chair, the report PES/233 on the above Tree Preservation Order, had been withdrawn for consideration and would be resubmitted for consideration by the Committee at a future meeting.

71. Closure of Meeting

The meeting ended at 8.55 pm.

I T IRVINE
Chair