

Crawley Borough Council

Minutes of Planning Committee

29 August 2017 at 7.30pm

Present:

Councillor C Portal Castro (Vice-Chair in the Chair)

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

Officers Present:

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

Also in Attendance:

Councillors: R G Burgess, M G Jones and M W Pickett

Apology for Absence:

Councillor I T Irvine (Chair)

31. Lobbying Declarations

The following lobbying declarations were made by Members:

Councillors B J Burgess, Jaggard, Joyce, Portal Castro, Rana, P C Smith, Tarrant and Thomas had been lobbied regarding CR/2017/0180/FUL.

Councillors Boxall, B J Burgess, Crow, Guidera, Jaggard, Joyce, Portal Castro, Rana, Skudder, P C Smith, Tarrant and Thomas had been lobbied regarding CR/2017/0559/FUL.

32. Members' Disclosure of Interests

The following disclosures of interests were made by Members:-

Member	Minute Number	Subject	Type and Nature of Disclosure
Councillor Tarrant	Minute 34	CR/2017/0180/FUL: Zurich House, East Park, Southgate, Crawley.	Personal Interest – as a Ward Councillor for Southgate.
Councillor B J Burgess	Minute 38	CR/2017/0559/FUL: 10 Artel Croft, Three Bridges, Crawley.	Personal Interest – as a Ward Councillor for Three Bridges.

33. Minutes

Subject to the clerical correction below, the minutes of the meeting of the Committee held on 31 July 2017 were approved as a correct record and signed by the Chair.

Clerical Correction

Minute No.25 (Planning Application CR/2016/1053/FUL: Former Depot ADJ to SW corner of Goffs Park, Old Horsham Road, Southgate, Crawley)

In relation to the last line of the final paragraph on page 18 of the minutes of 31 July 2017, and after the word "parking,":

Insert the words: "the number of dwellings being greater than that stated in the local plan, the height of the blocks of flats which was considered overbearing especially those at the front of the site and which would be clearly seen on entering Old Horsham Road,"

34. Planning Application CR/2017/0180/FUL: Zurich House, East Park, Southgate, Crawley

The Committee considered report PES/238 (a) of the Head of Economic and Environmental Services which proposed as follows:

Demolition of existing building and erection of a new part 3, part 4, part 5 and part 6 storey building comprising 41 x two bedroom and 34 x one bedroom apartments together with 48 car parking spaces and landscaping. (Amended plans received).

Councillors B J Burgess, Jaggard, P C Smith, Stone, Tarrant and Thomas declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and update. The Committee was advised:

- That confirmation had been received regarding the contribution towards Open Space which had been calculated at £15,989 (as opposed to the figure of £21,330 identified in paragraphs 5.38 and 6.2 of the report).

- That additional comments had been received from West Sussex County Council as the Highway Authority confirming that it had no objection to the proposals on highway safety, highway capacity or parking provision grounds, but that there was a requirement for a Traffic Regulation Order for the proposed Car-Club layby to secure it for that use. They also requested further information on the proposed operator which would be secured via the travel plan and as part of a Section 106 Agreement.
- The Group Manager indicated that she had been in receipt of a committee briefing sheet from the Applicant in support of the application, which had also been sent to Councillors.
- The Group Manager advised that further representations raising concerns about the parking problems and limited on street parking capacity had also been received.

Mr David Threader, Speaking on behalf of the Southgate Conservation Area Advisory Committee, County Councillor Jones, and Councillor Pickett, as a Ward Member for Southgate, addressed the Committee in objection to the application, whilst Mr Philip Allin, the Agent, addressed the Committee in support of the application.

The Committee then considered the application. The Committee discussed the issues arising, including the comments raised by the speakers and concerns raised by objectors. Members acknowledged those objections (which reflected those detailed in the report), particularly those made on the grounds of height, scale and massing, which it was considered would result in a dominant and unsympathetic form of development in the street scene and in particular when viewed from surrounding residential properties in East Park. Other Members felt the design was acceptable but had reservations about the overall height /scale of the building. Furthermore, the parking provision for the development was considered inadequate for its future residents and it was noted this was not in accordance with Council parking standards. There were concerns that the lack of on-site parking provision would have negative impacts on parking in the surrounding area generally (which had been designated a Controlled Parking Zone), and the tensions created in the community over parking places in this area. The area was already noted as experiencing considerable on-street parking pressures. Clarification was also sought on the viability appraisal undertaken for the development's proposed allocation of affordable housing.

In response to issues and concerns raised, the Group Manager:

- Indicated that the Applicant's parking survey for the proposed development was undertaken on Wednesday 14 December 2016, focussing on surrounding streets, and at a time of 4am to ensure that the majority of residents were at home.
- Confirmed that the proposed balconies would be a useable space, but indicated that even from the 6 storey block of flats, there would be no direct views from those balconies into the amenity space of surrounding residential properties in East Park.
- Explained that the proposed building would be of a similar overall layout to the permission granted in 2012 for 59 flats, but would be sited closer to the eastern boundary with the highest elements towards the eastern end of the building and the rear (north) and one storey higher than the earlier permission.
- Explained that the modern design of the building using contemporary features such as brick detail panels, extensive glazing and rendered bays interspersed by the balconies was considered by Officers to be an improvement to the character of the area when compared to the appearance of the existing office, and aesthetically better than the 2012 design.

- Acknowledged that the 11 affordable housing units proposed, represented a 15% affordable housing provision on all residential development, as opposed to the Local Plan (Policy H4) requirement of 40%. Whilst this was the case, it had been demonstrated that the development was not viable with a 40% affordable housing provision.
- Referred to comments from the Highway Authority that the site was in a highly accessible location with a wide range of services, including frequent passenger transport, within short walking distance. Residents would have realistic alternative transport choices for all day to day requirements and would not be reliant upon the use of the private car. The Highway Authority was satisfied that parking demands associated with this proposal could be accommodated without resulting in any detriment to highway safety.
- Indicated that the proposed restriction on residents applying for parking permits was intended to be controlled as part of a Section 106 Agreement. (However, in response to this issue, doubts were raised at the meeting as to whether WSCC would be prepared to limit applications for permits, from any particular address).
- Reiterated that compared to the previous use of the site as an office, there would be a likely reduction in the number of vehicle trips at peak times.
- Acknowledged that further under-croft parking could improve the number of parking spaces available although this would impact on unit numbers.
- Indicated that (although not present) a Highway's Authority Officer had been invited to this meeting.
- Advised that the Council's Refuse and Recycling Team had made no objections to the area provided for bins, and that it was for the Applicant to ensure that bins were site managed properly.
- Agreed that west facing windows on the development could improve natural surveillance serving the path to the railway platform, whilst indicating that such surveillance was not available from the current on-site offices, which were empty.
- Indicated that the Council's Contamination Officers had advised that any site contamination, such as that from an historic timber yard and ground gases could be mitigated.
- Confirmed that existing telephone cables would be closer to the new development, but that the utility company had not raised this as an issue or concern. It would be for the Applicant to deal with this matter.

With issues already raised on the matter earlier at this meeting, Members of the Committee referred to the affordable housing provision and sought clarification on the appraisal that had been provided by the Applicant. The Committee was reminded that due to the commercially sensitive nature of the viability report, discussions would need to be taken in Part B business (Exempt item).

35. Exclusion of public

It was moved and seconded that the meeting be continued in Part B (Exempt item). A vote was taken, and with the Chair using his casting vote it was

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: consideration of the viability appraisal report submitted as part of planning application CR/2017/0180/FUL - Zurich House, East Park, Southgate, Crawley, on the grounds

that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

36. Planning Application CR/2017/0180/FUL: Zurich House, East Park, Southgate, Crawley
(Exempt Paragraph 3)

The Group Manager provided a brief explanation to the conclusions within the viability report, whilst it was acknowledged that this was a very complex matter. Policy H4 required a 40% affordable housing provision on all residential development unless it could be demonstrated that this would not be viable and that there was a proven need for the development. In this case, the Applicant had provided a viability appraisal which has been independently scrutinised on behalf of the Council, and which demonstrated that the development would not be able to deliver a policy compliant scheme. However, after negotiations with the Applicant, it had been agreed that 11 flats could be made available. The Committee discussed the issues arising.

37. Re-Admission of the Public

The Chair declared the meeting reopen for consideration of business in public session.

The Committee continued to consider carefully the application information and in particular the concerns raised.

At the request of Councillor Boxall, 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 Crow, Joyce, P C Smith and Thomas (4).

Against the Proposal (to permit):

Councillors Boxall, B J Burgess, Fiveash, Guidera, Jaggard, Portal Castro, Rana, Skudder, Stone and Tarrant (10).

Abstentions:

None.

The Officer's recommendation to permit was therefore overturned.

It was then moved to refuse planning permission for the following reasons:

1. The proposed building by virtue of its height, scale and massing would result in a dominant and unsympathetic form of development in the street scene of East Park contrary to policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030.
2. The proposed development fails to provide adequate on-site parking provision for its future occupants which would result in further on-street parking in the surrounding residential streets to the detriment of the amenities of nearby residents and contrary to policies CH3, IN4 in the Crawley Borough Local Plan 2015-2030 and the parking standards set out in the Urban Design Supplementary Planning Document 2016.

This was seconded, and a vote was taken.

RESOLVED

Refuse for the reasons set out above.

38. Planning Application CR/2017/0559/FUL: 10 Artel Croft, Three Bridges, Crawley

The Committee considered report PES/238 (c) of the Head of Economic and Environmental Services which proposed as follows:

Erection of single storey rear/side extension, first floor side/front extension over existing garage, two storey front extension and garage conversion to enable disabled person facilities, equipment and access.

Councillors Boxall, B J Burgess, Jaggard, Stone and Tarrant declared they had visited the site.

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

Mr Don Bradley, the Agent, Mr Graham Baldock, who spoke on behalf of the Applicant, and Councillor R G Burgess, as a Ward Member for Three Bridges, addressed the Committee in support of the application.

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

- Emphasised that the disability needs of the applicant were a material consideration, but so too was the design of the dwelling and visual amenity of the street as a result of the proposed extension.
- Confirmed that extensive pre application advice had been provided to the Applicant in terms of improving the design and using alternative parts of the site where the property could be extended (to better comply with planning policy and guidance), with particular emphasis placed on extending the rear of the property which would not be visible in the street scene.
- The applicant had also been offered support in applying for a Disabled Facilities Grant and in having the scheme reviewed by specialists in the Council's Private Sector Housing Team.

The Committee considered carefully the application information and was of the view that the bulk, massing, design and scale of work undertaken would not be harmful to the character of the dwelling or the street scene. It did not accept the associated considerations in the Officer's report.

The Officer's recommendation to refuse was overturned.

It was then moved to permit the application proposed and this was seconded. A vote was taken.

RESOLVED

Permit, subject to the Conditions listed below:-

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.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
10 AC - 01C Existing & Proposed Elevations, Floor Plans and Roof Plans
CBC 0002 - Block Plan
CBC 0001 - Location Plan
CBC 0003 - Existing & Proposed East Elevations
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and finishes of the external walls and roof of the extension hereby permitted shall match in colour and texture those of the existing house.
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

39. Closure of Meeting

The meeting ended at 10.12 pm.

C PORTAL CASTRO
Chair