

## Crawley Borough Council

### Minutes of Planning Committee

Monday, 30 July 2018 at 7.30 pm

#### Councillors Present:

I T Irvine (Chair)

R S Fiveash (Vice-Chair)

M L Ayling, A Belben, N J Boxall, B J Burgess, K L Jaggard, S Malik, T Rana,  
A C Skudder, P C Smith, M A Stone, J Tarrant, G Thomas and L Vitler

#### Officers Present:

Kevin Carr	Legal Services Manager
Valerie Cheesman	Principal Planning Officer
Mez Matthews	Democratic Services Officer
Marc Robinson	Principal Planning Officer
Clem Smith	Head of Economic and Environmental Services

#### 1. Disclosures of Interest

No disclosures of interests were made.

#### 2. Lobbying Declarations

The following lobbying declarations were made by Councillors:

Councillor A Belben had been lobbied regarding application CR/2018/0298/FUL.

Councillors Ayling, A Belben, Boxall, Fiveash, Irvine, Jaggard, Skudder, P Smith, Tarrant and Thomas had been lobbied regarding report PES/300 – Objections to the Crawley Borough Council Tree Preservation Order: Land Parcel Adj(acent) to Coronet Close, Pound Hill 02/2018.

#### 3. Minutes

The minutes of the meeting of the Planning Committee held on 2 July 2018 were approved as a correct record and signed by the Chair subject to the follow amendment:

That Minute 4 (Planning Application CR/2017/1060/FUL – Greensleeves Retirement Home, 15-21 Perryfield Road, Southgate, Crawley) be amended to state that Councillor Boxall, having declared a prejudicial interest in the item, left the meeting for consideration of the item and took no part in the discussion or voting on the matter.

**4. Planning Application CR/2018/0298/FUL - 3 Mount Close, Pound Hill, Crawley**

The Committee considered report PES/283(b) of the Head of Economic and Environmental Services which proposed as follows:

Erection of a two storey rear extension (amended plans received).

Councillors A Belben, Jaggard, P Smith, Stone and Tarrant declared they had visited the site.

The Principal Planning Officer (VC) provided a verbal summation of the application and advised the Committee that the National Planning Policy Framework (NPPF) had been updated on 26 July 2018, but that the amendments to the NPPF did not alter the report nor the officer's recommendation. The Principal Planning Officer also highlighted that amended plans had been received which reduced the depth of the extension, reduced the height of the extension, dropped the eaves-line and included brick detailing.

Mr Neil Major (son of Dr R Major) addressed the meeting in objection to the application, reflecting the concerns detailed in the report. Mr Finnimore (the applicant) and Mr Sargent (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. In response to a query raised by a Committee member the Principal Planning Officer drew the Committee's attention to paragraphs 4.3 and 5.2 to 5.7 of the report which outlined the issues which needed to be taken into account with regard to the Area of Special Local Character within which the application site was situated.

**RESOLVED**

**Permit** subject to conditions set out in report PES/283(b).

**5. Objections to CBC Tree Preservation Order - Land Parcel Adj to Coronet Close, Pound Hill No. 02/2018**

The Committee considered report PES/300 of the Head of Economic and Environmental Services which requested that the Committee consider the objection which had been received in relation to the above Tree Preservation Order and determine whether to confirm the Order with or without modification for continued protection or, not confirm the Order.

Councillors A Belben, Jaggard, P Smith, Stone, Tarrant and Thomas declared they had visited the site.

The Principal Planning Officer (MR) provided a verbal summation of the report drawing particular attention to the fact that a Woodland Order applied to trees at all stages of their life. The Committee was advised that many of the stumps of those trees which had been felled had regenerated and new saplings were also growing on the site and it was still therefore woodland.

Mr Phillips (the agent for the owner of the site) addressed the Committee in objection to the Tree Preservation Order and specifically raised the following points:

- That in his opinion many of the trees on the site had been self-sown and were immature.
- That he considered the amenity value of the woodland to be low.
- The trees had been felled before the Council had applied for a Tree Preservation Order.
- That not all the evidence he had supplied had been reflected in the report.
- A Tree Preservation Order could impact on the two, so far undetermined, planning applications relating to the site that could provide woodland enhancement elsewhere /landscape benefits.
- His client had no objection to a modified Tree Preservation Order which only applied to the trees currently standing on the site.

The Committee then considered the objection in detail. In response to issues raised, the Principal Planning Officer (MR):

- Advised that the Forestry Commission was in the process of undertaking an investigation following the felling of the trees on the site.
- Confirmed that the land owner remained responsible for maintaining any trees on their land which were protected by a Tree Preservation Order.
- Confirmed that the land was designated Ancient Woodland. The Committee was also advised that Ancient Woodland could include tree felling and regrowth/replanting over time.
- Informed the Committee that the Arboricultural Officer had a program of tree inspection and would apply for Tree Preservation Orders when necessary. The Arboricultural Officer however, was not in a position to proactively inspect all trees within the Borough.
- Explained that the Tree Preservation Order had been made due to the amenity value of the woodland area, and not its designation as Ancient Woodland. The Committee was advised that, when considering whether to confirm the Order, they should consider whether the woodland was important in terms of its amenity value.

The Committee considered the woodland to be of significant amenity value and voted unanimously to confirm the Tree Preservation Order as set out in the report.

## **RESOLVED**

**Confirm** the Tree Preservation Order on the land parcel (adj)acent to Coronet Close, Pound Hill – 02/2018 without modification.

### **6. Planning Application CR/2017/0519/FUL - The Imperial, Broadfield Barton, Broadfield, Crawley**

The Committee considered report PES/283(a) of the Head of Economic and Environmental Services which proposed as follows:

Demolition of the existing public house and associated flat and the erection of a five storey mixed use development consisting of 7 x one bedroom and 12 x two bedroom flats, 1 x drinking establishment (A4 use) and 2 x retail units (A1 use), with lower ground floor parking (amended description and plans).

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

The Principal Planning Officer (MR) provided a verbal summation of the application and advised the Committee that:

- The application had originally been considered by the Planning Committee on 9 October 2017 when the Committee had resolved to permit the application subject to the completion of a S106 agreement. Negotiations regarding the S106 agreement had been on-going and within that time an additional representation had been received.
- The representation had raised a new issue not previously assessed within the original officer report or by the Planning Committee, namely that the development would prejudice the potential development of the adjoining land and was therefore contrary to Policy CH4 of the Crawley Borough Local Plan 2015-2030 which stated that “development proposals must use land efficiently and not unduly restrict the development potential of adjoining land, nor prejudice the proper planning and phasing of development over a wider area”. The Committee was therefore advised that it should consider specifically whether the development would unduly restrict the development potential of the adjoining land.
- In particular, consideration needed to be given to the impact the residential units to the north/north-west of the development would have on development of the adjoining land.
- The owner of the adjoining land had not submitted a planning application for that land nor had they been in discussion with the Council regarding any prospective development.
- An additional informative and an amendment to the S106 Legal Agreement was necessary in relation to the replacement of the drinking establishment and public amenity.
- The National Planning Policy Framework (NPPF) had been updated on 26 July 2018 and the Committee’s attention was drawn in particular to the following sections of the updated document:
  - Section 5 (Delivering a Sufficient Supply of Homes)
  - Section 8 (Promoting Healthy and Safe Communities)
  - Section 11 (Making Effective Use of Land)
  - Section 12 (Achieving Well Designed Places)The Committee noted that the changes to the NPPF did not materially alter the officer’s recommendation.
- There were no other material changes since the resolution had originally been taken by the Planning Committee on 9 October 2017 and therefore the Committee was only required to consider the new issue before it.

In response to issues raised by the Committee, the Principal Planning Officer (MR):

- Informed the Committee that a A4 class use related to “drinking Establishments” for example public houses, wine bars or other drinking establishments (but not night clubs). The drinking establishment element of the application would replace the establishment which was due to be demolished as part of the same application.
- Confirmed that the Sussex Police representation did not relate to licensing issues in relation to the pub. The floorplan layout had been altered to address Sussex Police’s concerns.
- It was not possible to provide replacement trees on site, due to insufficient space. The trees would therefore be planted off site, with the species and location to be agreed with the Council.
- Clarified that the Enforcement Officer would monitor that the conditions were adhered to.

The Committee considered the representation in detail giving particular consideration as to whether the application before them would unduly restrict any potential

development of the adjoining land. The Committee unanimously agreed that the application would not unduly restrict any potential development of the adjoining land.

## **RESOLVED**

**Permit** subject to:

- a) The conditions as set out in report PES/240(d) which had been considered by the Planning Committee at its meeting on 9 October 2017.
- b) The completion of a Section 106 Legal Agreement to ensure the long term viability of a public house on the site, replacement and additional tree planting and the provision of affordable housing as set out in report PES/283(a).

### **7. Planning Application CR/2018/0330/RG3 - Southwell, Balcombe Road, Pound Hill, Crawley**

The Committee considered report PES/283(c) of the Head of Economic and Environmental Services which proposed as follows:

Reconfiguration of existing hostel accommodation to provide 7 family rooms of temporary accommodation for homeless families with communal kitchen and storage facilities.

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

The Principal Planning Officer (VC) provided a verbal summation of the application and advised that since publication of the report, the Council's Refuse and Recycling Team had provided a response relating to bin storage and as such it was proposed that an additional condition be agreed as follows:

#### Additional Condition 8 (Bin Storage):

The hostel use hereby permitted shall not be occupied until provision for 2 x 1100L refuse bins has been made within the site in accordance with details to be submitted to and agreed in writing by the Local Planning Authority. The facilities shall thereafter be retained.

REASON: To ensure that adequate bin storage is provided for the development in accordance with Policies CH3 of the Crawley Borough Local Plan 2015-2030.

The Principal Planning Officer also advised the Committee that the National Planning Policy Framework (NPPF) had been updated on 26 July 2018, but that the amendments to the NPPF did not alter the report nor the officer's recommendation.

The Committee then considered the application and were supportive of the application, particularly the removal of the security fence. In response to issues and concerns raised by the Committee, the Principal Planning Officer:

- Advised that it was not appropriate to compare the internal space of the application's accommodation, on a like-for-like basis, with those that applied to general housing, given the nature of the hostel accommodation and the additional access to communal areas provided.
- Acknowledged that the parking layout did not identify a disabled parking space. It was suggested to the Committee and agreed that condition 4 be revised as follows to require such a space:

Revised Condition 4 (Disabled Parking Space):

The hostel use hereby permitted shall not be occupied until the car parking spaces, including one space to accessible standards, as shown on the drawing No. Southostel/2018/001 Rev B have been provided within the site. The spaces shall thereafter be kept available for the parking of vehicles by residents and visitors of the property at all times.

REASON: To ensure adequate provision of parking clear of the highway in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

**RESOLVED**

**Permit** subject to:

- a) The conclusion of a Section 106 agreement to secure the appropriate ongoing management of the hostel to meet local homeless needs as detailed in report PES/283(c).
- b) The conditions set out in report PES/283(c), and the revised and additional conditions above.

**8. Planning Application CR/2018/0348/FUL - 28 Kingscote Hill, Gossops Green, Crawley**

The Committee considered report PES/283(d) of the Head of Economic and Environmental Services which proposed as follows:

Erection of first floor side extension.

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

The Principal Planning Officer (VC) provided a verbal summation of the application and provided the Committee with the following updates:

- The plans had been amended to clarify the issue raised during the application's consideration at the Planning Committee on 2 July 2018.
- That, since the publication of the report, an additional representation had been received from Councillor Mullins, Ward Councillor for Gossops Green citing concerns relating to over-development, parking and use of the rooms within the property.
- Officers were of the opinion that some alterations to the front elevation were necessary, such as the brick pier, to ensure that it was in keeping with the character of the original building. It had not been possible to get in contact with the Agent to discuss the issue and therefore, should the Committee be minded to approve the application, it was requested that officers be given delegated authority to approve the amended plans in relation to that matter.
- The National Planning Policy Framework (NPPF) had been updated on 26 July 2018, but the amendments to the NPPF did not alter the report nor the officer's recommendation.

The Committee then considered the application. Following a query from a Committee member, the Principal Planning Officer advised that, due to permitted development rights, it would not be reasonable to impose a condition requiring that planning permission be sought for any future conversion of the roof space. The Committee was also advised that, due to the differing land levels of numbers 26 and 28 Kingscote Hill and the height of the fence along the boundary between the two properties, the impact on privacy and overlooking would be minimal.

**RESOLVED**

That the Head of Economic and Environmental Services be delegated authority to **permit** the application subject to:

- a) Receipt of an amended drawing regarding the front elevation of the proposal.
- b) Conditions set out in report PES/283(d).

**Closure of Meeting**

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

I T IRVINE  
**Chair**