

Crawley Borough Council

**Minutes of Planning Committee**

Tuesday, 10 March 2020 at 7.30 pm

**Councillors Present:**

S Malik (Chair)

A Belben, J Hart, I T Irvine, K L Jaggard, G S Jhans, J Purdy and P C Smith

**Officers Present:**

Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economy and Planning
Hamish Walke	Principal Planning Officer
Jess Tamplin	Democratic Services Support Officer
Paula Slinn	Legal Advisor

**Apologies for Absence:**

Councillor M Mwagale

**Absent:**

Councillors T McAleney and L M Ascough

**1. Disclosures of Interest**

No disclosures of interests were made.

**2. Lobbying Declarations**

The following lobbying declarations were made by Councillors:

All Councillors in attendance had been lobbied regarding application CR/2019/0739/TPO.

**3. Minutes**

The minutes of the meeting of the Planning Committee held on 10 February 2020 were approved as a correct record and signed by the Chair.

**4. Planning Application CR/2019/0542/FUL - Moka, Station Way, Northgate, Crawley**

The Committee considered report [PES/330a](#) of the Head of Economy and Planning which proposed as follows:

Demolition of existing nightclub and redevelopment of site providing 152 apartments, ground floor commercial/retail space (class A1, A3, A4, B1 and/or D2 uses) split between 2 to 4 units, new publicly accessible public realm (including pocket park), new publicly accessible electric vehicle charging hub, car club and associated works.

Councillors A Belben, Jaggard, Purdy, and P C Smith declared they had visited the site.

The Principal Planning Officer provided an update on the application. The Committee was reminded that in December 2019, the application was permitted subject to the completion of a Section 106 Agreement, but an amendment to the Agreement was now necessary. The application had made reference to securing a car club as part of the proposed development, with Bluecity as the intended operator. The Committee was informed that Bluecity had ceased operating in the UK in February 2020. A minor amendment was therefore sought to provide the applicant with flexibility in seeking a new car club operator.

The Committee then considered the application.

**RESOLVED**

Permit subject to the conclusion of the Section 106 Agreement as set out in report [PES/330a](#), and the conditions set out in report [PES/327a](#) including the amended conditions and revised recommendation.

**5. Planning Application CR/2019/0739/TPO - St Nicholas Church, Church Road, Pound Hill, Crawley**

The Committee considered report [PES/330b](#) of the Head of Economy and Planning which proposed as follows:

Lime T2 - fell, lime T3 - fell, lime T4 - fell, lime T5 - fell, turkey oak T6 - fell, lime T7 - fell, wych elm T8 - fell, turkey oak T9 - fell, lime T10 - fell, lime T12 – fell and replace with 12 no. Glastonbury thorns as per drg no. P2179 – 014 (amended description).

Councillors A Belben, Irvine, Jaggard, Purdy, and P C Smith declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application which proposed the felling of ten trees lining the path to St Nicholas' Church and the planting of 12 replacement trees. It was heard that the path was the sole access to the church and the maturity of the trees had caused buckling to the path's surface and encroachment on the width of the path, which could restrict access for some visitors and cause a trip hazard. Alternatives, such as the resurfacing of the path and the cutting back of the trees, had been considered and were deemed unfeasible. The Officer's report concluded that the short-term loss of visual amenity from the felling of the trees and the re-planting was considered acceptable on balance. A further objection had been received since the report was prepared which

put forward a new comment relating to the trees' role as carbon sinks and Crawley's poor atmospheric pollution levels. The comments of an objector who was unable to address the Committee were also summarised.

David Hathaway spoke in objection to the application. Various proposals were suggested, such as the re-routing of the footpath or the felling of fewer trees, and it was said that a compromise should be sought between environmental needs and sufficient access for those with disabilities.

The Committee then considered the application. A range of matters were raised as part of a detailed discussion. Views expressed included:

- The potential for the trees to provide amenity for a further 20-40 years.
- The substantial damage to the path had been a slow process over the trees' long existence and any further damage caused in the rest of the trees' lifetime may be comparatively minor.
- The appropriate setting of the trees as part of Worth Conservation Area.
- Acknowledgement of the importance of access to the church for all visitors.
- The trees' contribution to local air quality and Crawley Borough Council's recent declaration of a climate emergency.
- The visual amenity, prominence, and residents' attachment to the trees.
- The unsuitability of Glastonbury thorns as a replacement species, which Officers suggested could be reconsidered.
- The possibility of removing fewer trees – either alternate trees or those along one side of the path – although the 'avenue' effect would not be maintained.
- A request that the churchyard's below-ground archaeology and graves be undisturbed by both the proposed removal and planting of trees, to which Officers provided reassurance.

Councillor Irvine requested that a recorded vote, in accordance with Council Procedure Rule 25.5, be taken on the recommendation to consent and the conditions set out in report [PES/330b](#). The names of the Councillors voting for and against the recommendation, along with any abstentions, are recorded as set out below:

*For the recommendation to consent:*

None.

*Against the recommendation to consent:*

Councillors A Belben, Hart, Irvine, Jaggard, Jhans, Malik, Purdy, and P C Smith (8).

*Abstentions:*

None.

The Officer's recommendation to consent was overturned.

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

The trees have amenity value and make a positive contribution to the approach to and setting of the church, the conservation area and Crawley's environment. It has not been demonstrated to the satisfaction of the Local Planning Authority that the scheme for the proposed removal of all the trees is justified or that all alternatives have been fully explored.

The Chair sought a recorded vote on the new recommendation to refuse, which was taken and is recorded as set out below:

*For the new recommendation to refuse:*

Councillors A Belben, Hart, Irvine, Jaggard, Jhans, Malik, Purdy, and P C Smith (8).

*Against the new recommendation to refuse:*

None.

*Abstentions:*

None.

## **RESOLVED**

Refuse for the following reason:

The trees have amenity value and make a positive contribution to the approach to and setting of the church, the conservation area and Crawley's environment. It has not been demonstrated to the satisfaction of the Local Planning Authority that the scheme for the proposed removal of all the trees is justified or that all alternatives have been fully explored.

## **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.35 pm

**S Malik (Chair)**