

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 12 January 2021 at 7.00 pm

Councillors Present:

J Purdy (Chair)

L M Ascough, A Belben, I T Irvine, K L Jaggard, M Mwangale, T Rana and P C Smith

Also in Attendance:

Councillor R G Burgess, B J Burgess and R D Burrett

Officers Present:

Heather Girling	Democratic Services Officer
Mez Matthews	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Linda Saunders	Planning Solicitor
Hamish Walke	Principal Planning Officer

Apologies for Absence:

Councillor R Sharma

Absent:

Councillor M W Pickett

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Purdy	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Employed by a party who was invited to respond to the consultation (this particular party did not respond)

Councillor P Smith	CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley (Minute 4)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Irvine	CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley (Minute 5)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor P Smith	CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley (Minute 5)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor Irvine	CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley (Minute 6)	Personal Interest – Member of Crawley Cycling and Walking Forum
Councillor P Smith	CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley (Minute 6)	Personal Interest – Member of Crawley Cycling and Walking Forum

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillor A Belben had been lobbied regarding application CR/2020/0592/FUL. (In interest of transparency Councillor A Belben noted he had been lobbied by Councillor T Belben).

3. Minutes

The minutes of the meeting of the Planning Committee held on 7 December 2020 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2020/0575/NCC - Hilton, Hilton (South Terminal), London Gatwick Airport, Westway, Pound Hill, Crawley

The Committee considered report [PES/358a](#) of the Head of Economy and Planning which proposed as follows:

Variation/Removal of Condition 3 (Approved Plans) And Condition 9 (Amended Building Height) Pursuant To CR/2018/0337/OUT For The Erection Of Multi-Storey Hotel Car Park

The Principal Planning Officer provided a verbal summation of the application. The application was an amendment to a previously approved application required due to safeguarding distances in respect of an existing gas supply. Additionally the Committee was updated regarding amendments to the building's appearance and to form a car park roof and as such, partly due to aviation safety and parking control, an additional condition was proposed as follows:

16. The roof of the car park hereby approved shall not be used for the parking of vehicles without the written permission of the Local Planning Authority.

Reason: To enable aviation safety and parking issues to be properly assessed in the interests of the safe movement of aircraft and the operation of Gatwick Airport, parking requirements and sustainability in accordance with policies IN1, IN3, IN4 and GAT3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

The Committee was also informed as to an error within the report within paragraph 5.5 regarding motorcycle parking. The provision of motorcycle parking was 1 space per 11.75 car parking spaces (as opposed to 8.5 car parking spaces as stated), and whilst slightly below standard this was considered acceptable.

Further information was provided regarding the changes from the previously approved application, including the elevations, internal layout of the car park and proposed roof to provide weather protection to the top floor. The proposed planting plan exceeded that previously indicated and was considered acceptable tree mitigation, alongside an offsite S106 contribution (previously paid). It was confirmed necessary for a Deed of Variation to the S106 to be completed to ensure that the monies paid also relate to this application.

The Committee then considered the application and following a query from a Committee member and clarification sought on distance, the Principal Planning Officer confirmed that the proposed development had been slightly relocated and reduced in its extent to allow for the gas supply diversion. The distances from the previously approved application were thought to be a marginal reduction.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to permit:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwangale, Purdy, Rana, and P Smith (8).

Against the recommendation to permit:
None.

Abstentions:
None.

RESOLVED

Permit subject to conditions and informatives set out in report [PES/358a](#) (as amended above), together with the completion of the Deed of Variation of the S106 agreement.

5. Planning Application CR/2020/0589/OUT - Car Park, Station Way, Northgate, Crawley

The Committee considered report [PES/358b](#) of the Head of Economy and Planning which proposed as follows:

Outline Application For The Redevelopment Of Car Park To Form Mixed Use Residential With Indicative 15 Units And Commercial Scheme

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

The Principal Planning Officer provided a verbal summation of the outline application and updated the Committee regarding two further comments that had been received.

Environmental Health commented regarding air quality expressing some concerns about dust creation during construction but acknowledged this could be addressed through condition as part of a construction management plan. The Air Quality Officer also raised concerns regarding the air quality for future occupants given the idling traffic queuing on Station Way and at the level crossing and consideration should be given to moving the building further from the road and relocating the residential units to upper floors. It was acknowledged that the applicant had produced an air quality assessment and no objection had been made on these specific grounds.

The Heritage Consultant objected to the proposal due to the impact on the view and setting of the Brighton Road Conservation Area, Grade II listed signal box and the locally listed Nightingale House.

Following the comments from the Heritage Consultant, and the fact that the site is located in a sensitive location in heritage terms, a further reason for refusal was proposed as follows:

10. The proposed development, by reason of its location, proximity, siting, bulk and massing, would adversely affect views of and the setting of the Grade II listed signal box, the locally listed Nightingale House and the Brighton Road conservation area contrary to policies CH12, CH13, CH14 and CH15 of the Crawley Borough Local Plan 2015-2030.

The Committee was informed that the site would form a mixed use residential and commercial space. It was explained that whilst there was no objection in principle to development on the site for either residential or commercial, as it would introduce activity to this part of the town, the overall footprint of the proposed development would almost entirely cover the application site and would form a dominant building, where some units would lack adequate natural light. The massing, scale, design and external appearance neglected to respect the streetscene and related poorly to the adjoining allocated Station Gateway scheme. Whilst town centre developments with low levels of parking had been accepted on some sites, in this case the proximity to the Station Way carriageway was unacceptable and concerns were raised regarding the reliance on a single loading bay, the impact on pedestrians, vehicles passing the site, refuse/recycling arrangements and related access.

It was noted that the submitted drawings misleadingly highlighted the land to the south as a 'Proposed Landscaped Area', which was part of the adjoining Station Gateway development. As such no appropriate provision had been made for trees or open space recreation or affordable housing.

In line with the Council's Virtual Committee Procedure Rules, three statements submitted by members of the public in regard to the application were read to the Committee.

A statement from the Agent, highlighted matters including:

- Applicant felt aggrieved at the lack of engagement received from officers in the determination period of the application.
- Alterations to the scheme, which resolved issues relating to noise and highways impact had been prepared.
- It was acknowledged whilst there were clearly some fundamental points of disagreement as to the scheme's acceptability, such as affordable housing and parking provision, the necessary appraisals were submitted to justify the proposed development.
- There was a willingness to cooperate in matters and positively respond to recommendations for changes where possible.
- It was felt a town centre location removed the need for car ownership.
- There remained commitment to delivering a quality scheme on this site.

A statement from Ward Councillor Brenda Burgess, highlighted matters including:

- Such accommodation will be very small, squashed into such a small area.
- Problems of congestion could be caused when the refuse is collected due to the position being at a particularly busy junction and no construction management plan.
- Excessive fumes from traffic due to the numerous times traffic had to queue whilst waiting at the level crossing and traffic lights.
- No affordable housing provision.
- Such a scheme going forward would diminish the planned Station Gateway Scheme.
- The scheme appeared to be poorly aligned, excessively narrow and awkward, whilst lacking visual interest and being of poor quality.

A statement from Ward Councillor Bob Burgess, highlighted matters including:

- There was a lack of parking provision.
- There was a lack of affordable housing.
- The road outside the proposed development was very busy.
- The proposed development would overshadow existing properties in the vicinity.

The Committee then considered the application and discussed the following:

- It was noted that pre-application advice was offered.
- Concerns were raised regarding the lack of affordable housing, together with the absence of its own amenity space. It was unsettling that some windows would look out over the pavement or the Station Gateway land/communal garden.
- Following a query from a Committee member that some of the reasons for refusal were excessive, the Principal Planning Officer confirmed that the Local Planning Authority would normally look to negotiate improvements to a scheme. However the proposed development unfortunately presented a wide range of issues to address and would require substantial improvement in many areas, which could not be achieved through the current application. The applicant had been advised of these in pre-application advice.
- Confirmation that the Local Highway Authority had objected to the current layout proposed.
- Acknowledgement that Crawley Cycling and Walking Forum were consulted.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to refuse:

Councillors Ascough, A Belben, Jaggard, Mwangale, Purdy, Rana and P Smith (7).

Against the recommendation to refuse:

None.

Abstentions:

Councillor Irvine (1)

RESOLVED

Refuse for the reasons set out in report [PES/358b](#) (as amended above).

6. Planning Application CR/2020/0592/FUL - Northside, Balcombe Road, Pound Hill, Crawley

The Committee considered report [PES/358c](#) of the Head of Economy and Planning which proposed as follows:

Full Planning Application For New Residential Dwellings, Erection Of 8 No. Of 2 Bedrooms And 6 No. Of 3 Bedroom Units

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

The Group Manager (Development Management) provided a verbal summation of the application and updated the Committee that additional responses had been received. Whilst the Sustainability Officer had no objection, the comments received from the Ecologist stated that the application was not supported by any reptile survey or assessment despite this being identified as potential habitat in the preliminary ecological appraisal supplied with the application. In the absence of the survey, the presence of reptiles could not be ruled out and the ecological evidence was incomplete. Furthermore, the layout did not retain or propose suitable compensatory habitat for reptiles and it was noted that there was a lack of green space and space for wildlife to encourage biodiversity.

As a result a further reason for refusal was proposed as follows:

8. The proposed layout lacks adequate green space / suitable wildlife habitat and inadequate evidence has been supplied in respect of potential reptiles on the site. The proposal cannot demonstrate it makes a positive contribution to biodiversity and is therefore contrary to policy ENV2 of the Crawley Borough Local Plan 2015-2030 and paragraph 175 of the NPPF.

It was noted there were also some slight corrections to the report:

Paragraph 1.5 – the TPO trees run along the both the eastern and western boundaries of the site (not just the western boundary as described)

Refusal reason 1 – Typing error GD1 should read SD1 and policy CH2 should be listed in the refusal reason

Refusal reason 2 – Policy CH3 should be added to the refusal reason.

The Committee was reminded of the importance of the rural character of Balcombe Road, along with the overall trees and structural landscaping within the site which were key in regard to the design of the development in its setting.

The Council's Arboricultural Officer raised concerns and objection in terms of conflict with the retained trees on both sides of the site due to the arrangement of the houses on this narrow site. The layout of the proposed development would result in houses located within close proximity to protected trees resulting in properties that would be adversely affected by loss of sunlight, daylight and outlook to the rear windows and gardens. The proposed design adversely affects the streetscene together with the retained trees and lacks space for new ones to be established.

Whilst overall parking and cycle provision was deemed adequate, however concern was raised about the adequacy of the design for larger service vehicles to turn and re-join the highway in forward gear. Furthermore in terms of infrastructure, there is no S106 agreement in place to secure the required affordable housing and other contributions. The current layout, design and massing of the development would result in urbanising impact that would harmful to the character and appearance of the existing wooded street-scene, the rural character of the immediate surroundings and the structural which contribute to the sylvan character of Balcombe Road.

The Committee then considered the application and discussed the following:

- Confirmation provided that there was one addition access route into the site.
- Concern regarding a lack of agreement on affordable housing provision.
- It was felt the site layout was overcrowded, with little consideration for potential residents.
- It was detrimental positioning houses in close proximity to protected trees.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to refuse:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwagale, Purdy, Rana and P Smith (8).

Against the recommendation to refuse:
None.

Abstentions:
None.

RESOLVED

Refuse, for the reasons set out in report [PES/358c](#) (as amended above).

7. Tree Preservation Order Application CR/2020/0591/TPO - Milton Mount Lake, Pound Hill, Crawley

The Committee considered report [PES/358d](#) of the Head of Economy and Planning which proposed as follows:

2 X Oaks (9269 & 9306) - Sectional Felling/Restricted Fell.
1 X Oak (9305) - Thin Crown By 20% & Remove Deadwood

Councillors A Belben and Jaggard declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for works to three oak trees within Milton Mount Park. Two oaks were recommended for removal for safety reasons and one larger oak proposed for dead wooding and crown thin. The two felled oaks would be replaced.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwangale, Purdy, Rana and P Smith (8).

Against the recommendation to consent:
None.

Abstentions:
None.

RESOLVED

Consent, subject to conditions set out in report [PES/358d](#).

8. Tree Preservation Order Application CR/2020/0653/TPO - Milton Mount Lake, Grattons Drive, Pound Hill, Crawley

The Committee considered report [PES/358e](#) of the Head of Economy and Planning which proposed as follows:

Maple (050202) and 6 X Maples 9176/9259/9235/9236/9238/9237 - Sectional Felling/Restricted Fell.

Oak 9192 - Crown Lift To 2m From Ground Level South Side. Crown Reduction By 1.5m To Appropriate Growth Points On South Side. Removal of Deadwood. Removal of Major Deadwood (30mm+).

Oak 9184 - Crown Lift To 2m From Ground Level West Side. Crown Reduction By 1.5m To Appropriate Growth Point On West Side. Removal Of Dead Wood. Removal Of Major Dead Wood (30mm+).

Oak 9193 - Crown Lift To 2m From Ground Level West Side. Removal Of Dead Wood. Removal Of Major Deadwood (30mm+).

Oak 9185 - Crown Lift To 2m From Ground Level West Side. Removal Of Dead Wood. Removal Of Major Deadwood (30mm+). Sever Ivy.

Oak 9190 - Crown Lift To 2m From Ground Level. Removal Of Dead Wood. Removal Of Major Deadwood (30mm+).
Rowan Whitebeam 9124 - Sectional Felling/Restricted Fell.
6 X Hazel (050394 , 050397,126000, 126003,126006 And 126093) - Coppice
Ash 9167 - Crown Reduction 1.5m To 2m On West Side
Yew 9115 – Crown Lifting. Crown Reduction 1.5m To 2m On West Side.
Birch 6681 - Crown Reduction 1.5m On West Side From Fence Line Boundary To Appropriate Growth Points.
Alder 9362 - Crown Reduction 1.5m From Fence Line Boundary To Appropriate Growth Points.
Alder 9262 - Crown Reduction 1.5m From Fence Line Boundary To Appropriate Growth Points. Removal Of Basal/Epicormic Growth.
Maple 9260 - Crown Thin By 20%. (Amended Description)

Councillors A Belben and Jaggard declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which sought consent for further various works to the trees within Milton Mount Lake. Various works proposed by the applicants were in the interests of tree management, and included coppicing, some crown thinning, some branch length reductions to reduce overhanging and rebalance trees and felling of 7 maples. The 7 felled maples would be replaced.

A recorded vote was taken on the recommendation in accordance with the Council's Virtual Committee Procedure Rules. The names of the councillors voting for and against the recommendation, along with any abstentions, were recorded as follows:

For the recommendation to consent:

Councillors Ascough, A Belben, Irvine, Jaggard, Mwangale, Purdy, Rana and P Smith (8).

Against the recommendation to consent:
None.

Abstentions:
None.

RESOLVED

Consent, subject to conditions set out in report [PES/358e](#).

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.08 pm

J Purdy
Chair