

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 30 November 2021 at 7.00 pm

Councillors Present:

R D Burrett (Chair)

S Buck (Vice-Chair)

Z Ali, A Belben, I T Irvine, K L Jaggard, S Malik, M Mwangale, S Raja and P C Smith

Officers Present:

Siraj Choudhury Head of Legal, Governance and HR

Jean McPherson Group Manager (Development Management)

Marc Robinson Principal Planning Officer

Clem Smith Head of Economy and Planning

Jess Tamplin Democratic Services Support Officer

Also in Attendance:

Councillor K McCarthy

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Burrett	Planning application CR/2021/0243/FUL – Land East of Radford Road (and West of the Access Road to the Thames Sewerage Treatment Works), Radford Road, Crawley (Minute 4)	Personal Interest – had been approached by residents in his role as Councillor for Pound Hill North and Forge Wood to discuss the application site, but had expressed no view and remained impartial on the matter
Councillor Burrett	Section 106 Monies – Q4 2020/21 to Q2 2021/22 (Minute 5)	Personal Interest – Member of West Sussex County Council

2. Lobbying Declarations

The following lobbying declarations were made by councillors:-

Councillor Burrett had been lobbied but expressed no views on application CR/2021/0243/FUL.

Councillor A Belben had been lobbied by Councillor T Belben but expressed no views on application CR/2021/0243/FUL.

3. Minutes

The minutes of the meeting of the Planning Committee held on 31 August 2021 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2021/0243/FUL - Land East of Radford Farm (and West of the Access Road to the Thames Sewerage Treatment Works), Radford Road, Crawley

The Committee considered report [PES/377](#) of the Head of Economy and Planning which proposed as follows:

Material change of use of land to a gypsy and traveller site for 2 pitches each with 3 caravans and associated operational development (hardstanding, access track, shared package treatment plant, amenity blocks, sheds, kennel/dog run and post and rail fencing) - retrospective.

Councillors Ali, A Belben, Burrett, Jaggard, Mwangale, Raja, and P Smith declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought retrospective permission for a change of use of a 0.23 hectare area of former paddock/woodland to a gypsy and traveller site, which was already occupied. The Officer updated the Committee that several corrections and clarifications to report PES/377 were required as follows:

- The first sentence of paragraph 5.10 was to be corrected to read '*Whilst accepting they form part of an established Gypsy/Traveller family related to most of the larger traveller families across Kent, Oxford and the UK, further information does indicate links to Horsham, Mole Valley and the wider Irish Traveller community in Crawley.*'
- Paragraphs 5.16 and 5.17 were to have the word '*deliverable*' replaced by '*developable*' in relation to the allocated Local Plan gypsy/traveller site.
- The first sentence of paragraph 7.1 was to be amended to read '*The Council is currently able to demonstrate a 5 year land supply of developable gypsy/traveller pitches within the borough, although weight needs to be given to the applicants' needs as the site is not currently deliverable.*'

The Committee was updated that no response was received from the Ecology Officer, so it was taken that there had been no objection to the application. The Planning Officer also explained that a further letter had been received from the agent commenting on the officer report – the agent's letter was read out in full with the omission of some personal details. The correspondence queried a number of matters in the report and raised issues including the lack of consideration of temporary permission for the site, the levels of noise caused by passing aircraft, the Council's 5 year supply of gypsy and traveller pitches, the potential flood risk at the site, and the personal circumstances of the applicants.

Robert Biggs (a neighbour of the site) spoke in objection to the application on behalf of Radford Road Neighbourhood Watch. Matters raised included:

- Noise disturbance to neighbours of the site and harm to visual amenity, as the development was not considered to be in keeping with the local area. The value of neighbouring properties had decreased.
- The development had impacted the local flood risk. Drainage at the site was poor and there was a history of flooding in the area, and there was a blocked culvert nearby.
- The environmental impact - trees were removed, wildlife (including protected species) may have been displaced, the hardstanding may have been laid improperly, and the site was in an area of archaeological interest.
- Access, damage, and road visibility concerns at the site entrance and on to Radford Road.

Councillor Kevan McCarthy (ward councillor for Pound Hill North and Forge Wood) spoke in objection to the application. Matters raised included:

- The land was priced and sold as a site not suitable for development, and was in an area safeguarded from development by Gatwick Airport.
- The site's close proximity to the Gatwick runway. Despite the airport operating at reduced capacity due to Covid-19, the noise impact at the site was considerable and would likely worsen when flight numbers reverted.
- The way in which the works on site were implemented – including whether or not there were breaches of the stop notices issued.
- A significant number of objections, comments, and noise complaints had been made by members of the public regarding the site since its occupation.

The Committee then considered the application.

A Committee member queried whether further works were carried out at the site after a stop notice was issued in April 2021. The Planning Officer stated that the Council was not aware of any material breaches of the notice, except those that had later been reversed.

Following a query from a Committee member regarding temporary planning permission, the Planning Officer confirmed that the application before the Committee was for permanent permission. Planning policy stated that consideration should be given to granting temporary permission if there was not a 5 year supply of gypsy/traveller pitches in the borough – the Council had a developable site, but this was not yet deliverable. It was explained that temporary permission had been considered by officers, however the application site was not suitable for occupancy due to the issues set out in the report (primarily the impact of flood risk and aircraft noise on the health and safety of the occupants) and it was considered that the negatives of the site constraints outweighed the circumstances of the applicants.

The developable site (Broadfield Kennels) was further discussed. The Planning Officer confirmed that the Local Plan identified this as the only reasonable gypsy/traveller site in Crawley. It was not yet subject to a planning application for a change of use, and no need for the site had been raised with the Local Planning Authority since the Plan was adopted in 2015, but it was identified as deliverable when required which was estimated to be within five to ten years of the date of the adoption of the Plan.

Having taken into account the information presented to them, Committee members considered that the recommendation to refuse was well-reasoned with substantial grounding in planning policy. Flooding at and around the site was of particular concern.

It was requested by Councillor Irvine that a recorded vote be taken on the application. The names of the Committee members voting for, against, or abstaining were as follows:

For the recommendation to refuse: Councillors Ali, A Belben, Buck, Burrett, Irvine, Jaggard, Malik, Mwangale, Raja, and P Smith (10).

Against the recommendation to refuse: none.

Abstentions: none.

RESOLVED

Refuse for the reasons set out in report PES/377.

5. Section 106 Monies - Q4 2020/21 to Q2 2021/22

The Committee considered report [PES/389](#) of the Head of Economy and Planning. The report summarised all the Section 106 (S106) monies received, spent and committed to project schemes between quarter 4 of the financial year 2020/21 and quarter 2 of 2021/22.

Following a question from a Committee member regarding the frequency of the S106 update reports, the Head of Economy and Planning confirmed that the reports were previously considered by the Committee quarterly, but since the beginning of the Coronavirus pandemic, officers' workloads had increased. The reports were therefore less frequent but it was hoped that they would soon return to the Committee on a quarterly basis.

The Chair welcomed the £55,000 in open space contributions provisionally allocated to the Wakehams Green playground, which was in need of refurbishment.

RESOLVED

That the update on S106 monies received, spent and committed between quarter 4 of 2020/21 and quarter 2 of 2021/22 was noted.

6. Update on Water Neutrality

At the request of the Chair, the Head of Economy and Planning provided an update following Natural England's position statement on water neutrality. It was heard that consultants had recently been appointed by the Council to assess the water usage of planning applications. A number of previously permitted applications were to be re-considered by the Planning Committee with new elements tackling the water neutrality issue, which were likely to be ready for the next Committee meeting in January 2022.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.11 pm.

R D Burrett (Chair)