Crawley Borough Council

Minutes of Planning Committee

Monday, 24 April 2023 at 7.30 pm

Councillors Present:

R D Burrett (Chair)

Y Khan (Vice-Chair)

Z Ali, J Hart, K L Jaggard, K Khan, S Mullins, M Mwagale and S Sivarajah

Officers Present:

Valerie Cheesman	Principal Planning Officer
Siraj Choudhury	Head of Governance, People & Performance
Heather Girling	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economy and Planning

Apologies for Absence:

Councillor S Raja

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 but had expressed no view on application CR/2021/0685/OUT.

3. Minutes

The minutes of the meeting of the Planning Committee held on 3 April 2023 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2021/0685/OUT - Ten Sixty-Six, Balcombe Road, Pound Hill, Crawley

The Committee considered report PES/413a of the Head of Economy and Planning which proposed as follows:

Outline application for demolition of existing residential dwelling and outbuildings and redevelopment of the site to provide a new 64-bed Class C2 care home with associated car parking and landscaping.

Councillors Ali, Burrett, Jaggard and Mwagale declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application which sought outline planning permission, with access to be approved. The other matters of appearance, landscaping, layout and scale would be considered at the reserved matters stage, if the application were to be approved. The illustrative material gave an indication of how the development might be accommodated on the site. The Committee heard that the site was within the defined built-up area and within the wider allocation in the current Local Plan for the new Forge Wood neighbourhood under Policy H2. However, it was outside of the area shown on the approved Forge Wood master plan and as such was classed as residual land. All development must accord with the policies and objectives set out in the Local Plan as a whole.

Tom Edmunds, the gent (Walsingham Planning), spoke on behalf of the applicant in support of the application. Matters raised included:

- There was a strong need for housing in Crawley, including older people's accommodation. The proposal for a high-quality, purpose-built care home would meet this need, particularly in the area of Forge Wood which was allocated for housing and undergoing significant change.
- The scheme would create jobs during the construction phase and during operation, whilst also contributing business rates to the borough.
- The proposal was an outline application and suitably worded conditions would provide the Council control and reassurance for later reserved details, together with a S106 Agreement for financial contributions which the applicant would be prepared to enter into, should the Council grant consent.

The Committee then considered the application. Following a query from a Committee member, the Principal Planning Officer clarified the visibility splays calculation and access. WSCC had confirmed that the visibility splays were in accordance with standards and that manoeuvring could take place to a satisfactory level. Some Committee members raised concerns that there was no pavement on the west side of the Balcombe Road. It was noted there was a pavement on the eastern side, to which the application proposed connecting onto two crossing points and two short sections of pavement either side of the site access. There may be future options following further Forge Wood developments, including a possible connection from the Steers Lane development to the south. However, views were expressed that pedestrian access to the site was unsuitable as residents, visitors and staff would be required to cross the Balcombe Road.

A question was raised regarding the S106 Agreement. The Principal Planning Officer confirmed that if the application were to be permitted, a S106 Agreement would be required. It was clarified that the refusal reason was in place as a S106 Agreement had not been completed and to ensure the provision of the appropriate financial contribution in the event there was a potential appeal.

Committee members sought clarification regarding the designation of the current dwelling on the site, and it was established that the building was proposed to be added to the list of Locally Listed Buildings.

Following a query from a Committee member, it was clarified that the proposed scale and details of the scheme, as illustrated by the indicative layout and associated material, was considered to have an unneighbourly relationship with the adjoining dwellings, so the proposal was not deemed policy-compliant in this regard.

Clarity was sought regarding the removal of the majority of the trees/shrubs/hedges, particularly those of categories B, C and U. It was confirmed that category U trees were in poor condition and should be removed and it was also noted that there were no category B trees to be removed which were currently subject to a Tree Preservation Order. Concerns were raised regarding the layout and proximity of the building and retained trees (the boundary being approximately 6 metres away from bedroom windows shown on the indicative layout plan), which could lead to future pressures for tree felling. It was felt that there would be a negative impact on daylight to the bedrooms as a result of this relationship.

A concern was raised regarding the distance between various rooms as shown within the indicative plan, particularly the bedrooms overlooking the enclosed winter gardens (these bedrooms were situated approximately 9-10 metres away). The Principal Planning Officer confirmed that the Urban Design Supplementary Planning Document recommended a minimum distance of 21 metres, in order to avoid any potential overlooking and privacy issues.

Concerns were further raised regarding the noise environment, and the provision of enclosed winter gardens (to replace the lack of usable outdoor space) was not considered to be appropriate or adequate. Various Committee members expressed views that the mitigation measures and solutions proposed for ventilation and cooling systems, together with the use of closed windows for a residential care home, provided an unsuitable living environment.

The Principal Planning Officer clarified the nature of the windows that were proposed in order to mitigate noise and explained that, based on the documents, the advice from the Environmental Health team was that whilst the windows could be opened to purge vapour or fumes, they would need to remain closed to be effective and to fully mitigate the noise from the Balcombe Road. Thus, a cooling ventilation system was required. Although this provided a solution it was not considered good acoustic design. Following this, the Committee discussed the refusal reasons regarding the noise environment and mitigation measures. A suggestion was made that this could be further strengthened to expand on the use of closed windows to mitigate noise, and this was accepted by the Committee.

Whilst it was acknowledged that in general, the principle of care home development was acceptable, the Committee could not support this proposal and voted unanimously that the application be refused.

RESOLVED

Refuse, for the reasons set out in report PES/413a, and the amended refusal reason 4 as follows:

4. The proposed development as shown in the illustrative material and associated documents would fail to provide an appropriate living environment for residents due to the noise environment and acoustic mitigation measures proposed, including the use of closed windows together with a mechanical ventilation and active cooling system. It is not considered that the development would follow the principles of good acoustic design. The development would therefore be contrary to policies CH3 and ENV11 of the Local Plan and the associated Noise Annex plus the relevant paragraphs of the National Planning Policy Framework.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.29 pm.

R D Burrett (Chair)