

## Crawley Borough Council

### Minutes of Planning Committee

Tuesday, 14 November 2023 at 7.30 pm

#### Councillors Present:

S Pritchard (Chair)

M Mwagale (Vice-Chair)

Z Ali, J Charatan, J Hart, K L Jaggard, K Khan, Y Khan and S Mullins

#### Also in Attendance:

Councillor B J Burgess

#### Officers Present:

Valerie Cheesman	Principal Planning Officer
Siraj Choudhury	Head of Governance, People & Performance
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Officer
Hamish Walke	Principal Planning Officer

#### Apologies for Absence:

Councillor J Bounds

#### Absent:

Councillor M Morris

### 1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Interest
Councillor Ali	Planning Application CR/2023/0197/FUL – Land Adjacent to Hydehurst Lane, Northgate (minute 4)	Personal interest – a West Sussex County Councillor.
Councillor Ali	Planning Application CR/2023/0484/FUL – 9 Mill Road, Three Bridges (minute 6)	Personal interest – a member of West Sussex County Council's Planning and Rights of Way Committee.

## 2. Lobbying Declarations

The following lobbying declarations were made by councillors:

Councillors Ali, Jaggard, K Khan, Y Khan, S Mullins, Mwangale, and Pritchard had been lobbied but had expressed no view on application CR/2023/0197/FUL.

Councillor Ali had been lobbied but had expressed no view on application CR/2023/0220/FUL.

Councillor Ali had been lobbied but had expressed no view on application CR/2023/0420/FUL.

Councillors Ali and Pritchard had been lobbied but had expressed no view on application CR/2023/0484/FUL.

## 3. Minutes

The minutes of the meeting of the Planning Committee held on 24 October 2023 were approved as a correct record and signed by the Chair.

## 4. Planning Application CR/2023/0197/FUL - Land Adjacent to Hydehurst Lane, Northgate, Crawley

The Committee considered report [PES/440a](#) of the Head of Economy and Planning which proposed as follows:

*Demolition of existing buildings and erection of a parcel distribution centre (class B8) including car and cycle parking, servicing, landscaping, new access and associated works.*

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

The Principal Planning Officer (VC) provided a verbal summation of the application, which set out a proposal to construct a warehouse building for use as a parcel distribution centre bordering the Manor Royal Business District. It was explained that the recommendation was that the Committee delegate the decision to permit the application to the Head of Economy and Planning. The Officer then gave details of the various relevant planning considerations as set out in the report.

Hayden Kreetzer, the agent (Quod), spoke on behalf of the applicant in support of the application. Matters raised included:

- The development was purposely designed for its intended occupier (DPD). It was predicted that 130 jobs at different levels were to be created and £6m would be brought to the local economy.
- The building was designed to reflect its location on the border of the Manor Royal Business District to the south and open countryside to the north. A green roof was proposed which would create a biodiversity net gain and a BREEAM 'excellent' rating was to be achieved.
- Traffic modelling had shown that there was capacity on nearby roads and junctions to account for an increase in vehicle movements.

The Committee then considered the application. Further information was sought regarding the potential impact of an increase in traffic around the application site. The Officer confirmed that a transport assessment had been undertaken, which predicted

an additional 77 two-way vehicle movements in the morning peak period and 82 in the afternoon peak period. West Sussex County Council, as highways authority, had concluded that there would be no unacceptable impact on nearby roads and junctions as there was currently excess capacity, and had raised no objection to the proposals. Hydehurst Lane was a privately-owned highway; any damage to the road would fall to the owner to repair.

Committee members sought more detail about the proposed changes to the ponds currently at the site and any related flood risk. The Officer clarified that the pond at the eastern end of the site was to be retained and enhanced. The pond in the central section was to be removed; underground storage tanks were to be installed underneath the car park to collect rainwater to protect against flooding. The existing drainage features at the western end of the site were to be retained. The measures set out in the drainage strategy had been considered by specialists and were deemed sufficient to mitigate any water displacement caused by the development.

Committee members raised several other points as part of the discussion:

- A concern was raised that the development was located within the boundary of safeguarded land for the potential future development of a second runway at Gatwick Airport. The Officer confirmed that the site was outside the boundary in the adopted Local Plan, so there was not currently any planning policy that would prohibit the application from being permitted on these grounds.
- The design of the building and the proposed landscaping were considered to be attractive. Reassurances were sought regarding the safety of the materials used for the wood cladding.
- The proposal to move to an all-electric fleet of large goods vehicles serving the site was praised for its sustainability benefits. The Officer confirmed that the details of the proposal were provided as part of the documentation with the application, and would be secured through the S106 agreement as part of air quality mitigation measures.
- The report set out that there would be no overspill of parking on to local roads as the proposed parking provision was sufficient for all vehicles associated with the development, but queries were raised as to how this would be monitored. The Officer highlighted that Hydehurst Lane was privately-owned and monitoring and enforcement was the responsibility of the owner.

## **RESOLVED**

Delegate the decision to permit the application to the Head of Economy and Planning, subject to:

1. A satisfactory conclusion to the notification process with Gatwick Airport and the Civil Aviation Authority in accordance with the requirements in Annex 1 of the Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002;
2. The conclusion of a Section 106 legal agreement to secure:
  - Financial contribution of £11,552 Manor Royal improvements
  - Air Quality Mitigation Measures - all electric LGV fleet and to secure additional EV charging spaces within the service yard for these vehicles
  - Travel Plan and monitoring fee of £3,500
  - Secure the planting, management and maintenance of the 15m landscaping buffer to the north of the application site;

And the conditions set out in report PES/440a.

**5. Planning Application CR/2023/0220/FUL - 76 Gales Drive, Three Bridges, Crawley**

The Committee considered report [PES/440b](#) of the Head of Economy and Planning which proposed as follows:

*Construction of a part two storey / part single storey rear and side extension.*

Councillors Ali, Jaggard, Mwangale, and Pritchard declared they had visited the site.

The Principal Planning Officer (HW) provided a verbal summation of the application, which sought permission for an extension to a residential property. The extension was proposed to be the full width of the existing property at ground floor level, with a small area around the side of the property, and the addition of one habitable room on the first floor. The Officer then gave details of the various relevant planning considerations as set out in the report.

M Amer, the applicant, spoke in support of the application. Matters raised included:

- The proposal in front of the Committee was the final of a number of iterations, which had been changed following feedback from Planning Officers. The original plans were ambitious and had sought a four bedroom house; the application would instead create a three bedroom house.
- Compromises had been made in order to reduce the adverse impact of the proposals on neighbours and discussion with the owner of the neighbouring property had taken place.
- The space available for the extension was limited but had been made use of as best as possible.

The Committee then considered the application. A Committee member raised concerns that a significant amount of space would be lost from the garden as a result of the extension. The Officer confirmed that the garden depth would be reduced to eight metres, which was below the minimum of 10.5 metres set out in the Urban Design SPD, however reassurance was given that the sizable width of the rear garden and the large front garden would mitigate this and the total area would exceed policy requirements.

Clarification was sought about the positioning of the window on the first floor part of the extension and the extent to which it may overlook the neighbouring school. The Officer explained that the window was for an ensuite bathroom so would likely be obscured, and would overlook the school's parking/service space rather than the main area.

**RESOLVED**

Permit subject to the conditions set out in report PES/440b.

**6. Planning Application CR/2023/0484/FUL - 9 Mill Road, Three Bridges, Crawley**

The Committee considered report [PES/440d](#) of the Head of Economy and Planning which proposed as follows:

*Erection of 1 x attached three bed dwelling in side garden space, and erection of single storey side and rear extension and internal alterations to existing dwelling.*

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

The Principal Planning Officer (HW) provided a verbal summation of the application, which sought permission for an extension to a residential property on Mill Road and a new, separate dwelling attached to the existing property. The Officer updated the Committee that, since the publication of the report, updates to the drawings submitted with the application had been made which had led to amendments to condition 2 as follows:

- *Replacement of drawings PL001 Rev B (Site Plan), PL301 Rev B (Proposed Floor Plans Loft and Roof), PL300 Rev C (Proposed Floor Plans Ground Floor & First Floor) and PL310 Rev A (Proposed Elevations), as listed in the report, by the updated drawings PL001 Rev C, PL301 Rev C, PL300 Rev D and PL310 Rev B.*

It was explained that the Committee was recommended to delegate the decision to permit the application to the Head of Economy and Planning. The Officer then gave details of the various relevant planning considerations as set out in the report.

Elena Andrei, a neighbour of the site, spoke in objection to the application. Matters raised included:

- The property was in a conservation area – the character of which, under planning legislation, should be preserved and enhanced. The proposed application did not contribute to the preservation or enhancement of the area.
- Damage to properties and to the highway may be caused by construction work; this was of particular concern given the age of the houses on Mill Road.
- The highway assessment undertaken by West Sussex County Council was insufficient.

Brenda Burgess, Ward Councillor for Three Bridges, spoke in objection to the application. Matters raised included:

- There was a known issue with narrow roads and limited parking availability in the area. West Sussex County Council had not consulted residents as part of its parking assessment and had not seemed to consider that 77% of parking permits had already been prescribed for the controlled parking zone.
- The construction of another building would displace water and may increase local flood risk; especially in light of recent significantly high rainfall levels.
- Although the design of the development was said to be in-keeping with the style of the area, it was still likely to be difficult to recreate the character of the older neighbouring railway properties. The proposed dwelling was large and bulky.

The Committee then considered the application. Committee members discussed that no parking provision was proposed as part of the application and that there was a shortfall of up to 4.5 parking spaces. Concerns were raised that parking was already an issue in the local area and the loss of spaces may exacerbate this. Mill Road was a narrow one-way street which could become dangerous if there were more vehicles using the road due to the proposed increase in occupancy at the site. The Officer explained that Crawley Borough Council Planning Officers had undertaken a number of site visits which had shown that parking spaces were available in the local area on various different dates and times and thus there was capacity. An appeal decision by the Planning Inspectorate regarding a previous application at the site had recognised that a shortfall may create some additional parking pressure, but this was not considered sufficient to justify dismissing the appeal. Committee members asked the Officer whether West Sussex County Council highways officers had visited the site, but this was not known.

The Committee had sympathy with neighbours' concerns regarding noise and disruption during the construction period and potential damage to their properties and to the highway. It was felt that this was particularly important due to the nature of Mill

Road and the limited space for construction vehicles. Committee members asked whether a construction management plan could be implemented through a condition in order to control the construction process. The Officer advised that this would be possible to help manage the construction, but that any damage to neighbouring properties would be controlled by other legislation.

The Committee also discussed a potential condition relating to control of the materials to be used. Mill Road was considered to be an historic area of the town with a distinct character; there were concerns that a new property may stand out and negatively impact the streetscene. The Officer confirmed that details of the materials to be used had been supplied, which included the use of reclaimed bricks similar to those used in neighbouring properties. It was noted that a condition could be created to require samples of the materials to be submitted to the Council's planning team for approval in advance.

Committee members raised several other points as part of the discussion on the application:

- It was queried whether the 9 metre distance between the proposed new dwelling and the property directly opposite would have an impact on neighbouring amenity. The close proximity of the properties may cause direct window-to-window overlooking and a lack of privacy and queries were raised as to whether this would be acceptable in other areas of the town, or whether there was a planning policy that controlled this. The Officer highlighted that the character of the area should be taken into account and that the adjoining houses on Mill Road already had the same relationship to each other. The Council's planning policies did not set out standards to address relationships between front windows in houses opposite each other.
- A concern was raised that the distance between the proposed new dwelling and the fence boundary was below standard. It was confirmed that the plans set out a 0.8 metre distance at the front and a 0.3 metre distance at the rear. The 1 metre standard was not applicable in this case as there were no concerns that a terracing effect would be created.
- It was deemed unclear as to how the addition of four bathrooms across the two properties was considered to be water neutral. The Officer explained that the existing property was proposed to be reduced from three to two bedrooms; a decrease in occupancy would result in a decrease in water usage. The existing water fittings were to be upgraded to be more efficient including grey water recycling measures. Natural England and the Council's specialist consultants had assessed the proposals and deemed them to be water neutral. If the approved plans were not adhered to, enforcement could take place through the S106 agreement.
- Clarification was sought about the floorplan for the second floor of the proposed new dwelling. It was explained that there was not a habitable room; the small area at the top of the staircase was shown to be a landing area, loft space, and a bathroom.
- Following a query from a Committee member, it was heard that the wall-to-wall width of the proposed new dwelling was 4.9 metres and the layout was open plan. A concern was raised regarding potential strain on the party wall – the Officer confirmed that it was possible that steel beams may be inserted for support, but that this was a matter to be dealt with by the Building Regulations.

The Head of Governance, People & Performance referred to the appeal decision in relation to one of the previous applications for the site (CR/2021/0844/FUL) and highlighted the Planning Inspector's judgement regarding one of the then Planning Committee's reasons for refusal, namely, parking. Advice was given about the potential risk of a costs award being made against the Council if the Committee was

minded to persist in objecting to elements of the scheme which the Planning Inspectorate had already deemed to be acceptable.

A Committee member proposed that the two amendments to the recommendation discussed during the debate, namely a condition requiring samples of materials to be submitted in advance and a condition regarding the implementation of a construction management plan, were to be attached to the planning permission were it to be approved. There was no opposition from the Committee and the amendments therefore became part of the substantive recommendation.

## RESOLVED

Delegate the decision to permit the application to the Head of Economy and Planning, subject to the conclusion of a Section 106 legal agreement to secure the affordable housing contribution and the water neutrality mitigation measures, the conditions set out in report PES/440d (including amended condition 2), and the following amended/additional conditions:

3. *The materials and detailing to be used in the development hereby permitted shall strictly accord with the approved plans together with the details indicated within the 'Materials and Details' document dated 18th August 2023 and associated 'Imperial brick' data sheet and 'Del Carmen' roofing data sheet submitted with the application. **No development shall take place until samples of the proposed materials have been submitted to and approved in writing by the Local Planning Authority.***

*REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity and the character of the Hazelwick Road conservation area and in accordance with Policies CH3, CH12 and CH13 of the Crawley Borough Local Plan 2015-2030.*

16. *No development shall take place, including any works of demolition, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period, unless otherwise agreed in writing by the Local Planning Authority. The Plan shall provide details as appropriate, but not necessarily be restricted to the following matters:*

- *the anticipated number, frequency and types of vehicles used during construction;*
- *the method of access and routing of vehicles during construction;*
- *the parking of vehicles by site operatives and visitors;*
- *the loading and unloading of plant, materials and waste;*
- *the storage of plant and materials used in construction of the development;*
- *the erection and maintenance of security hoarding;*
- *the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders);*
- *the prevention of deliveries at the site during peak times for traffic movements (generally 0800-0900 and 1430-1530);*
- *Access arrangements from the public highway, including temporary accesses and alterations to existing accesses;*
- *details of public engagement both prior to and during construction works; and*
- *the control of noise from the works.*

*REASON: In the interests of highway safety and the amenities of the area in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.*

**7. Planning Application CR/2023/0420/FUL - Unit A, 1-3 Metcalf Way, Langley Green, Crawley**

The Committee considered report [PES/440c](#) of the Head of Economy and Planning which proposed as follows:

*Insertion of 3 no. new windows complete with roller shutters to south east flank wall.*

Councillor Ali declared he had visited the site.

The Principal Planning Officer (VC) provided a verbal summation of the application. It was explained that that the internal layout of the building was being altered, so permission was sought for the installation of three windows to align with the new floorplans. The Officer then gave details of the various relevant planning considerations as set out in the report.

The Committee then considered the application. It was noted that the changes proposed were modest and were of an acceptable scale and design.

**RESOLVED**

Permit subject to the conditions set out in report PES/440c.

**8. Section 106 Monies - Q1 2023/24**

The Committee considered report [PES/446](#) of the Head of Economy and Planning, which summarised all the Section 106 (S106) monies received, spent and committed to project schemes in quarter one of the financial year 2023/24.

The Head of Economy and Planning explained that funding received through S106 contributions via planning applications sought to offset the impacts of those developments and must be spent on specified projects. A Committee member requested clarification on the status of the Memorial Gardens mosaic project, to which S106 monies had been previously committed. It was heard that the works on the mosaic had been completed and the monies utilised, so there was an outstanding administrative procedure to ensure that that money was allocated to the correct budget.

**RESOLVED**

That the update on S106 monies received, spent and committed in quarter one of the financial year 2023/24 was noted.

**Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 10.06 pm.

**S Pritchard (Chair)**