

Crawley Borough Council

Planning Committee

Agenda for the **Planning Committee** which will be held in **Committee Room C - Town Hall**, on **Tuesday, 9 January 2024 at 7.30 pm**

Nightline Telephone No. 07881 500 227



Chief Executive

Membership: Councillors S Pritchard (Chair), M Mwagale (Vice-Chair), Z Ali, J Bounds, J Charatan, K L Jaggard, K Khan, Y Khan, M Morris, S Mullins and A Nawaz

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Published 21 December 2023



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The Boulevard
Crawley
West Sussex
RH10 1UZ

The order of business may change at the Chair's discretion

Part A Business (Open to the Public)

	Ward	Pages
1. Apologies for Absence		
2. Disclosures of Interest		
In accordance with the Council's Code of Conduct, councillors are reminded that it is a requirement to declare interests where appropriate.		
3. Lobbying Declarations		
The Planning Code of Conduct requires any councillors who have been lobbied, received correspondence, or been approached by an interested party regarding any planning matter to declare this at the meeting at which the matter is being considered. Councillors should declare if they have been lobbied at this point in the meeting.		
4. Minutes		5 - 16
To approve as a correct record the minutes of the Planning Committee held on 4 December 2023.		
5. Planning Application CR/2023/0395/FUL - 10 Kithurst Close, Southgate	Southgate	17 - 24
To consider report PES/450a of the Head of Economy and Planning.		
RECOMMENDATION to PERMIT.		
6. Tree Preservation Order Application CR/2023/0436/TPO - Worth Park Lake, Pound Hill	Pound Hill North & Forge Wood	25 - 28
To consider report PES/450b of the Head of Economy and Planning.		
RECOMMENDATION to CONSENT.		

**7. Tree Preservation Order Application
CR/2023/0558/TPO - 64 Pearson Road,
Pound Hill**

Pound Hill
South & Worth

Pages

29 - 32

To consider report PES/450c of the Head of
Economy and Planning.

RECOMMENDATION to CONSENT.

8. Supplemental Agenda

Any urgent item(s) complying with Section 100(B)
of the Local Government Act 1972.

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Crawley Borough Council

Minutes of Planning Committee

Monday, 4 December 2023 at 7.00 pm

Councillors Present:

S Pritchard (Chair)

M Mwagale (Vice-Chair)

Z Ali, J Bounds, J Charatan, K L Jaggard, K Khan, Y Khan, S Mullins and A Nawaz

Also in Attendance:

Councillor B J Burgess, J Hart and M G Jones

Officers Present:

Valerie Cheesman	Principal Planning Officer
Siraj Choudhury	Head of Governance, People & Performance
Jean McPherson	Group Manager (Gatwick Northern Runway DCO)
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Officer
Hamish Walke	Acting Group Manager (Development Management)

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/2023/0357/OUT – Former Pay and Display Car Park, Telford Place, Three Bridges (minute 7)	Personal interest – a West Sussex County Councillor.

2. Lobbying Declarations

The following lobbying declarations were made by councillors:

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All councillors present had been lobbied but had expressed no view on application CR/2021/0571/FUL.

Councillors Jaggard, K Khan, Y Khan, S Mullins, Mwangale, Nawaz, and Pritchard had been lobbied but had expressed no view on application CR/2023/0118/FUL.

Councillors Ali, Bounds, Jaggard, K Khan, Y Khan, S Mullins, Mwangale, Nawaz, and Pritchard had been lobbied but had expressed no view on application CR/2023/0357/OUT.

Councillors Nawaz and Pritchard had been lobbied but had expressed no view on Tree Preservation Order 07/2023.

3. Minutes

The minutes of the meeting of the Planning Committee held on 14 November 2023 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2020/0274/FUL - Ambulance Station, Ifield Avenue, West Green

The Committee considered report [PES/447a](#) of the Head of Economy and Planning which proposed as follows:

Demolition of existing ambulance centre and erection of 39 flats with associated parking and amenity space (addendum report).

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

The Acting Group Manager (Development Management) provided a verbal summation of the item which set out that the original application, which the Committee had previously resolved to permit subject to the finalising of certain details and the completion of a Section 106 agreement, had been delayed due to the Natural England Position Statement on Water Neutrality. Work had since been undertaken to demonstrate that the proposed development would be water neutral. 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 highlighted that the only matter for consideration was water neutrality. Following a query from a Committee member, the Officer outlined the consultation process with Natural England and highlighted that its comments were due to be received imminently. If concerns were raised, Planning Officers would work with Natural England to address issues and reach a suitable conclusion, but reassurance was provided that the scheme did appear to demonstrate water neutrality so this was unlikely.

The Committee then moved to a vote on the application.

RESOLVED

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

- a) the conclusion of consultation with Natural England under the Habitats Regulations;

- b) the finalising of the noise condition, the refuse/recycling store and other elevational treatment in line with the earlier Planning Committee resolution;
- c) the completion of the Section 106 Agreement;

and the conditions set out in report PES/447a.

5. **Planning Application CR/2021/0571/FUL - Land to the Front of Ewhurst Place, Ifield Drive, Ifield**

The Committee considered report [PES/447b](#) of the Head of Economy and Planning which proposed as follows:

*Erection of 4 x three bedroom semi-detached dwellings with surrounding landscaping.
Formation of two new vehicle access drives off Ifield Drive with associated garage and on-site parking.*

Councillors Ali, Bounds, Charatan, Jaggard, S Mullins, Mwagale, Nawaz, and Pritchard declared they had visited the site.

The Group Manager (Gatwick Northern Runway DCO) provided a verbal summation of the application, which sought planning permission for the erection of four residential homes on an area of land forming part of the front curtilage of Ewhurst Place in Ifield. It was explained that the Committee was recommended to refuse the application for the four reasons stated in report PES/447b. The Officer then gave details of the various relevant planning considerations as set out in the report.

Peter Rainier, the agent (DMH Stallard), spoke in support of the application. Matters raised included:

- The trees within the curtilage of the site which had significant historic and amenity value were to be retained, including those visible from Ifield Drive.
- The trees proposed to be removed were mostly younger category C trees which formed low-level planting; they did not form a significant screen and had little amenity value.
- An improved landscaping scheme was proposed.

Peter Rainier spoke on behalf of Lorraine King (Stantec) in support of the application. Matters raised included:

- Historic England was consulted regarding the potential impact of the application on the heritage of the site and had issued a non-intervention letter advising that it did not wish to comment. This suggested that there were no significant issues with the proposals.
- The site was separate to the historic moated area and was beyond an area of modern planting. Nearby residential development had already impacted the site's heritage.
- The less than substantial harm on the heritage of the site would be significantly outweighed by the benefits, such as the provision of homes and jobs.

Trevor Harman, the applicant (Barclay Developments), spoke in support of the application. Matters raised included:

- The issue of water neutrality could be resolved if the application was to be given more time – the site had been earmarked to be part of Crawley Homes' retrofitting programme and discussions were ongoing.
- There would be ecological benefits to the application and measures were proposed that would encourage biodiversity.

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- A considerable amount of time and money had been spent on the application, and no objections had been raised by neighbours of the site.

Brenda Burgess, Councillor for Three Bridges, spoke in support of the application.

Matters raised included:

- Previous developments constructed by the applicant were well-produced.
- It was important to strike a balance between preserving the heritage of the site and finding a way to move forward with the application.
- The application looked promising and of good quality.

The Committee then considered the application. Further information was sought about the historic boundary that intersected the site and was marked by a tree belt which was proposed to be removed (with the exception of one tree). The Officer explained that historic mapping showed that some form of marked boundary had been in the same location for hundreds of years, so the tree belt was considered a significant marker of the character of the site. Although the trees themselves were not historic specimens, the boundary was an original feature of Ewhurst Place, so their removal would amount to the loss of the feature and the significant value it was considered to add to the site and the setting of Ewhurst Place. Committee members felt that, generally, it was important to retain notable historic features, but in this case the tree specimens themselves were not particularly substantial or of high quality. It was highlighted that the application did not propose removal of the entire boundary and the good quality specimens were retained beyond the site boundary. The extent to which the removal of the trees would negatively impact visibility to and from Ewhurst Place was also discussed, but the Committee did not consider this a significant issue. On balance the Committee felt that the loss of the tree boundary was not sufficient to justify refusal of the application, although the loss of any trees was regrettable.

In response to a query from a Committee member about the site's designation in historic town plans, the Officer confirmed that plans dated from 1953 had earmarked the land in front of the boundary for housing development and these plans had proposed to retain the boundary feature.

Committee members discussed the application's failure to demonstrate water neutrality. It was heard that the applicant had stated that an agreement had been made with Crawley Homes that the Crawley Homes retrofitting scheme would be utilised in order to offset water usage created by the development. It was the responsibility of the applicant to demonstrate this, however the Officer confirmed that no information about or evidence of such agreement had been provided. Committee members sought to further understand this, to which the Officer confirmed that the reasons for the agreement not being secured were not known. The Chair commented that the Committee's discussion should be reported to Crawley Homes.

The Head of Governance, People & Performance provided advice on the Committee's options for making a decision on the application. It was confirmed that it would be unlawful (as a breach of the Habitat Regulations) to grant planning permission in the application's current form as no confirmation of water neutrality had been provided. Committee members sought advice on the legitimacy of a vote to delegate the decision to permit the application to the Head of Economy and Planning subject to details of proposals to demonstrate water neutrality. The Head of Economy and Planning explained that this application differed from others that sought delegated authority to permit as the applicant had provided no information on how water neutrality would be achieved; whereas other applications had proven water neutrality and their proposals were simply subject to agreement from Natural England.

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Committee members felt that, generally, the development was of good quality design and provided much-needed housing.

The Committee then moved to a vote on the recommendation to refuse the application set out in the report. The recommendation was overturned.

The Chair summarised that the Committee seemed to disagree most strongly with refusal reasons 1 and 2 and felt that these were not valid grounds for refusal of the application. It was suggested that Planning Officers be asked to work towards a resolution to reasons 3 and 4. Following this, a Committee member proposed an alternative motion as follows:

To defer the application to a future meeting of the Planning Committee subject to officers coming to a conclusion on issues of water neutrality and the Section 106 agreement, and securing appropriate affordable housing and tree mitigation contributions.

The Committee moved to a vote on the alternative motion.

RESOLVED

Defer the application to a future meeting of the Planning Committee subject to officers coming to a conclusion on issues of water neutrality and the Section 106 agreement, and securing appropriate affordable housing and tree mitigation contributions.

6. Planning Application CR/2023/0118/FUL - Three Bridges Football Club, Jubilee Walk, Three Bridges

The Committee considered report [PES/447c](#) and [PES/447c\(2\)](#) of the Head of Economy and Planning which proposed as follows:

Replacement of existing pitch with 3G football turf pitch (3G FTP) (8962 sq. metres) and associated works including erection of new fencing with entrance gates to form an enclosure around the pitch perimeter, replacement pitch barriers and installation of a storage container within the 3G FTP enclosure. Erection of 6 no. 15.0 m high floodlights around the 3G FTP perimeter with led luminaires. Resurfacing and extension of hard-standing areas. Erection of 2.5 m high acoustic fence.

Councillors Ali, Jaggard, S Mullins, Mwagale, Nawaz, and Pritchard declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought the removal of the existing grass football pitch and replacement with a synthetic 3G pitch (and related works) at Three Bridges Football Club. The Officer highlighted that, since the publication of the initial report, an issue had arisen regarding encroachment of the proposed fence on to existing trees. This had required a supplementary report to be published, which set out an additional condition in order to resolve the issue. The Officer then gave details of the various relevant planning considerations as set out in the report.

Paul Faili, on behalf of the applicant, spoke in support of the application. Matters raised included:

- The current facilities were inadequate as they were not well-lit or safe for use in all weathers. The installation of a 3G pitch would increase its versatility and resilience.

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- A 2020 report by the Council had identified a deficit of four full-size pitches in Crawley. The proposals would double the number of users of the facilities.
- The proposals would facilitate outreach work with local groups and community organisations and support the club's youth development policy.

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

- There were concerns that increased usage of the facilities would lead to greater noise levels at the site.
- It was hoped that any disruption to local residents had been considered when taking into account increased light pollution and increased noise, such as from officials' whistles.
- The proposal would otherwise be a benefit to the local community.

The Committee then considered the application. Following a query from a Committee member about the impact of construction works on neighbours of the site, the Officer confirmed that a construction management plan was required as part of condition 3 which would cover matters such as the delivery of materials and vehicular access to the site. A query was also raised regarding the proposed floodlights, which were confirmed to be of the same height and position as the existing floodlights. The lights were more efficient and a lighting impact assessment had been undertaken to ensure there was minimal glare to neighbours.

Committee members discussed the drainage proposals set out in the application. It was recognised that the lack of irrigation needed for the proposed artificial pitch (compared to the existing grass pitch) would offset any increase in water usage caused by the projected higher number of users. It was queried as to whether a rainwater recycling scheme had been considered in order to reuse run-off water from the pitch area. The Officer explained that this did not form part of the application, and may have been too complex or cost-prohibitive due to the nature and materials of a 3G pitch.

The Committee then moved to a vote on the application.

RESOLVED

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

- the conclusion of consultation with Natural England under the Habitats Regulations;
- the completion of a Section 106 legal agreement securing community use and pitch certification;

and the conditions set out in report PES/447c (including additional condition 10 as set out in report PES/447c(2)).

7. Planning Application CR/2023/0357/OUT - Former Pay and Display Car Park, Telford Place, Three Bridges

The Committee considered report [PES/447d](#) of the Head of Economy and Planning which proposed as follows:

Outline application for up to 300 self-contained affordable residential units to provide later living (C2 use class) and affordable rent/shared ownership (C3 use class) accommodation with private and communal amenity space, two units for either

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commercial, business and service (E use class) or local community and learning (F use class) uses, creation of new vehicular access from Haslett Avenue East, closure of existing vehicular access from Southgate Avenue, formation of a new landscaped public realm area to the south of Crawley Library and ancillary facilities such as vehicle parking, cycle and bin stores and plant rooms (access and scale to be determined, with layout, appearance and landscaping forming reserved matters).

Councillors Ali, Charatan, Jaggard, S Mullins, Mwagale, Nawaz, and Pritchard declared they had visited the site.

The Acting Group Manager (Development Management) provided a verbal summation of the outline application, which sought permission for a development of residential units and associated works on a currently vacant site at Telford Place in Three Bridges. It was explained that if the outline application were to be approved, a further application would be submitted to seek approval of the reserved matters (namely the layout, appearance, and landscaping). These matters were therefore not to be considered or agreed at this stage. The Officer updated the Committee that, since the publication of the report, discussions on pre-commencement conditions had taken place which had led to recommended amendments to conditions 11, 12, 13 and 15 as follows:

11. No development other than the construction of the approved highways access shall take place unless and until full details of the measures to be undertaken to divert and/or protect the public water supply main during construction works and the subsequent landscaping implementation have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed measures.

REASON: To ensure adequate protection for existing water supply infrastructure in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

REASON why pre-commencement condition: As it relates to potential impact upon the public water supply main area starting with the setting up for construction activities and site preparation.

12. No development other than the construction of the approved highways access shall take place unless and until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority. Any piling must be undertaken in accordance with the terms of the approved Piling Method Statement, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect nearby underground sewerage utility infrastructure and in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030.

REASON why pre-commencement condition: As foundations will be constructed at a very early stage in the development process and to ensure that any piling details and required protection measures are agreed in good time.

13. No development other than the construction of the approved highways access shall take place unless and until a scheme for the disposing of surface water by means of a sustainable drainage system has been submitted to and approved in writing by the Local Planning Authority in accordance with the approved drainage strategy and discharge rates as contained within the approved Flood Risk Assessment & Drainage Strategy Report (Jubb, version 3.0, dated 30/10/23). The scheme shall be implemented in full in accordance with the approved details prior to first use of the development unless otherwise agreed in writing by the Local Planning Authority. The submitted scheme shall:

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- *Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge from the site via a proposed sustainable drainage system and the measures taken to prevent pollution of the receiving surface waters;*
- *Demonstrate that the proposed surface water drainage system does not surcharge in the 1 in 1 critical storm duration, flood in the 1 in 30 plus climate change critical storm duration or the 1 in 100 plus climate change critical storm duration, using FEH2022 as the rainfall model; and*
- *Demonstrate that any flooding that occurs when taking into account climate change for the 1 in 100 critical storm event in accordance with the National Planning Policy Framework does not leave the site uncontrolled via overland flow routes.*

REASON: To ensure the flood risk is adequately addressed and not increased in accordance with Policy ENV8 of the Crawley Borough Local Plan 2015-2030 and the relevant paragraphs of the National Planning Policy Framework.

REASON why pre-commencement condition: As measures to address the drainage requirements may require below grounds works that need to be undertaken at a very early stage in the development process.

15. No development other than the construction of the approved highways access shall take place unless and until the Reserved Matters Energy Statement, referred to in the submitted Outline Energy Statement dated June 2023, detailing an energy strategy and a level of environmental performance consistent with the Outline Energy Statement, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out in accordance with the approved details.

REASON: In the interests of environmental sustainability, in accordance with Policies ENV6 and ENV7 of the Crawley Borough Local Plan 2015-2030, Policies SDC1 and SDC2 of the submission Crawley Borough Local Plan 2024-2040, and the Planning and Climate Change Supplementary Planning Document.

REASON why pre-commencement condition: As measures to address the energy needs of the site to an appropriate environmental performance may require below grounds works that need to be undertaken at a very early stage in the development process.

The Officer then gave details of the various relevant planning considerations as set out in the report.

John Cooban, a local resident, spoke in objection to the application. Matters raised included:

- The oak tree which was proposed to be removed was a category A specimen which provided mature urban tree canopy cover as required by planning policy, which would benefit future residents of the development.
- A modified scheme with a different layout and slightly reduced size could provide an alternative and allow for the tree to be retained.
- There were a number of errors and omissions about the tree in the application paperwork.

Gordon Easden, a member of Active Travel Crawley, spoke in objection to the application. Matters raised included:

- The bicycle parking proposed was at the rear of the development and did not seem easily accessible.
- Investment had been made in cycle routes across the town in recent years but the application did not propose to involve a continuous uninterrupted cycle route. Adapting the plans to join up the existing routes would be possible.
- Active Travel England, a statutory consultee, had made similar comments seeking enhanced walking and cycling provision.

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Dave Hathaway, a local resident, spoke in relation to the application. Matters raised included:

- The provision of the homes was positive but the proposed access to the site was an issue. If permitted via the outline application the access could not be revisited in the future.
- The proposed single road access from Haslett Avenue East was problematic as traffic was already an issue and would be exacerbated by cars entering and leaving the new development.
- An alternative proposal of a new road through the site (forming a crossroads with Southgate Avenue) had been rejected by West Sussex County Council based on inadequate traffic surveys, but would improve traffic flow if modelled correctly.

Sam Hobson, the applicant (Affordable Housing & Healthcare Group) spoke in support of the application. Matters raised included:

- The proposals would provide accommodation for a range of people, including older people, through affordable housing and shared ownership schemes.
- The application would improve an under-utilised brownfield site in a sustainable location, providing jobs and supporting the town centre economy.
- There would be a biodiversity net gain and improvements to the public realm and the development was demonstrated to be water neutral.

Frank Carter Asante, a local resident, spoke in support of the application. Matters raised included:

- The proposals would provide residents and key workers with an opportunity to access affordable housing in a good location.
- The healthcare facilities proposed as part of the application would be beneficial for residents and reduce pressure on the NHS and the public purse.
- Jobs would be created for local people.

Michael Jones, Councillor for Bewbush & North Broadfield, spoke in support of the application. Matters raised included:

- The affordable housing provision exceeded requirements and the proposed extra care scheme would be highly beneficial for those with specific needs.
- It was regrettable that the oak tree was proposed to be felled and alternatives had been considered, but these would have to lead to either the loss of units or the loss of parking provision from Crawley library.
- The benefits of the application were significant and on balance, outweighed the tree loss. A significant landscaping scheme was proposed and there would be a net gain of trees.

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

- The proposed development was too large and was not in keeping with the streetscene as it would dominate nearby buildings.
- There would be significant impacts to local infrastructure from the increase in residents living in the area.
- Oak trees in the middle of their life span were in short supply –trees such as the one to be felled were valuable as they attract the most biodiversity. Younger replacement trees would not provide comparable ecological benefits.

The Committee then considered the application. Some Committee members agreed that the development of the under-utilised brownfield site was positive. The affordable housing provision was praised as were the proposed community benefits of the scheme and the extra care accommodation, but some were hesitant about the

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resultant impact on local infrastructure. The Committee raised various queries about scale and access as part of its discussion on the application.

Concerns were raised that the proposed 12 storey building was much taller than the majority of existing buildings in the area and that a large, bulky development would be unattractive. The Officer agreed that the building was large but not necessarily out of character, as there would be some similarly-sized buildings nearby, such as the future Station Gateway development. Detailed design and appearance issues would be covered at the reserved matters stage. There were no immediate neighbours of the site and so any impact, such as from overlooking, would be minimal.

Following a query from a Committee member about access to the site, the Officer confirmed that the development was projected to generate 42 to 49 two-way vehicle movements during the AM and PM peak hour periods, which was calculated to be a reduction of movements compared to the previous use of the site as a car park. West Sussex County Council's Highways department had raised no concerns about a negative impact on traffic in the area. The Committee agreed that the loss of the oak tree required to create the proposed access was unfortunate – it was recognised that the tree was a large, healthy specimen and detail was sought on possible alternative accesses which could ensure the tree was retained, such as an access from Southgate Avenue adjacent to the railway line. The Officer explained that, at that point, there was a steep bank (approximately 5 metres in height) at the side of the site and creating the access over this change in ground level would be very difficult. There was also a number of trees along the southern boundary so moving the access would instead be likely to cause the loss of these trees. It was confirmed that officers had investigated every option in trying to retain the oak tree, including moving it to a new location, but the Arboricultural Officer had confirmed that the tree would not survive being removed and replanted elsewhere.

A Committee member requested that cycle routes near the development be improved. The Officer confirmed that the intention was that there would be a cycle route through the public area of the development, and that the existing cycle route would be joined up across the junction at Southgate Avenue to create a continuous cycle lane.

The Committee also discussed several matters which fell under the application's reserved matters, such as car and cycle parking, design, and overlooking, which it noted were of interest but were not for immediate consideration and were to be agreed at a later stage.

It was requested by the Chair 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: Councillors Bounds, Charatan, K Khan, Y Khan, S Mullins, Nawaz, and Pritchard (7).

Against the recommendation: Councillors Ali, Jaggard, and Mwagale (3).

Abstentions: None.

RESOLVED

Delegate the decision to permit the application to the Head of Economy and Planning, subject to the completion of a Section 106 agreement, the submission and implementation of a water neutrality strategy, and the conditions set out in report PES/447d (including amended conditions 11, 12, 13 and 15).

8. Crawley Borough Council Tree Preservation Order - Hazelwood, Balcombe Road, Pound Hill - 07/2023

The Committee considered report [PES/448](#) of the Head of Economy and Planning which sought to determine whether to confirm the Tree Preservation Order (TPO) 07/2023 – Hazelwood, Balcombe Road, Pound Hill – with or without modification for continued protection, or not to confirm the TPO.

Councillors Ali and Jaggard declared they had visited the site.

9. Guillotine

As per General Committee Procedure Rule 15.4, the guillotine process came into effect at 11.00pm:

- a) Any recommendations on the agenda that have not been dealt with will be deferred until the next scheduled meeting of the Committee.
- b) Any item already undergoing debate at 11.00pm will be concluded and voted upon rather than being deferred.

10. Crawley Borough Council Tree Preservation Order - Hazelwood, Balcombe Road, Pound Hill - 07/2023

The Committee moved to a vote on the item.

RESOLVED

Confirm, without modification.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 11.00 pm.

S Pritchard (Chair)

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Agenda Item 5

CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 9 January 2024
REPORT NO: PES/450(a)

REFERENCE NO: CR/2023/0395/FUL

LOCATION: [10 KITHURST CLOSE, SOUTHGATE, CRAWLEY](#)
WARD: Southgate
PROPOSAL: ERECTION OF SINGLE STOREY REAR AND SIDE INFILL EXTENSION
TARGET DECISION DATE: 30 August 2023
CASE OFFICER: Mrs K. Palmer
APPLICANT'S NAME: Sheila Manek
AGENT'S NAME: PS Designs Ltd

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
A03	P2	Location And Site Plans
A01		Existing Plans and Elevations
A02	P2	Proposed Plans and Elevations

CONSULTEE NOTIFICATIONS & RESPONSES:-

1. UK Power Networks - no objection subject to an informative.

NEIGHBOUR NOTIFICATIONS:-

1 & 9 Kithurst Close
1 & 3 Sullington Hill
2 Rackham Close
1 Chanctonbury Way

RESPONSES RECEIVED:-

Objections have been received from 9 different addresses objecting to the development on the following grounds:

- Out of keeping in the area
- Not in keeping with the rest of the Close
- Potential for increase noise due to garage conversion
- Loss of parking and increased occupancy adding to parking stress in the area and creating potential hazard
- Water neutrality
- Loss of privacy
- Loss of light
- Potential for conversion to HMO/business and harm to the area.

Issues have also been raised in regard to the acceptability of foundations, the party wall act and covenants. These are all matters subject to other legislation/law and are not matters for consideration in the determination of planning applications.

REASON FOR REPORTING TO COMMITTEE:-

There are more than 4 objections to the proposal and the recommendation is to permit.

THE APPLICATION SITE:-

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- 1.1 The application site on the east side of Kithurst Close contains a two-storey link-detached house on a corner plot with Chanctonbury Way. On the front and rear elevations the house is brick with a white composite cladding panel. The side elevations are brick. There is an existing single storey flat roofed side and rear extension on the southern corner of the original house. There is a flat roof canopy above the flank elevation front door, and the garage and porch located on the northern side, attached to No.9 are set back from the main front elevation of the house. The front of the house is all laid to hardstanding and there is space to accommodate at least three vehicles off road to the front of the property. There is also an integral garage. The street has a relatively uniform pattern of link-detached dwellings in a semi-circular layout arranged around the cul-de-sac.
- 1.2 There is a significant change in levels in the area with the land sloping down from south to north. The house is therefore in an elevated position relative to no.9 Kithurst Close to the north that is approximately 0.6m lower than the application site.

THE PROPOSED DEVELOPMENT:-

- 2.1 Planning permission is sought for a single storey rear and side extensions.
- 2.2 The proposed extension to the side of the house would be adjacent to no.9 Kithurst Close. It would have a 1 metre set back from the main front elevation of the dwelling. The front of the extension would have the main entrance door to the house and a window.
- 2.3 The rear of the extension would project 2.8 metres from the rear of the of original garage to the side of the house, (the garage itself projects 2m beyond the rear elevation of 9 Kithurst Close and is on the boundary), and would be set away from the boundary with no.9 Kithurst Close by 1 metre. The section closest to the main dwelling would project 4.2 metres from the original main rear elevation of the house. It would extend across the entire extended rear elevation and would incorporate the existing single storey rear and side extension. The proposed rear extension would be 2.7 metres high with a flat roof. It would have a set of four by-fold doors, a door and a window.
- 2.4 Internally the space would provide a bedroom with en-suite, cloakroom, office, bathroom, and enlarged kitchen and lounge in a re-modelled ground floor. It would replace the garage and entrance hall to the side of the house.
- 2.5 The proposed extensions have been amended during the course of the application by having the side extension set back 1m from the main front elevation of the house and the rear of the extension being set 1m away from the boundary with no.9 Kithurst Close.

PLANNING HISTORY:-

- 3.1 There is no planning history for the site since the house was built under planning application ref. CR/620/1969 for the ERECTION OF 75 HOUSES WITH INTEGRAL GARAGES, 18 BUNGALOWS WITH A BLOCK OF 18 GARAGES AND 24 BUILDING PLOTS.

PLANNING POLICY:-

- 4.1 National Planning Policy Framework (December 2023)
 - Section 2 – Achieving sustainable development. This section states that achieving sustainable development means that the planning system has three overarching objectives: an economic objective – to help build a strong, responsive and competitive economy, a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations, and an environmental objective to contribute to protecting and enhancing our natural, built and historic environment. This includes making effective use of land and helping to improve biodiversity.
 - Section 12 – Achieving well-designed and beautiful places. The creation of high quality, beautiful buildings and places is fundamental to what the planning and development process should

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achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Development that is not well designed should be refused.

4.2 Crawley Borough Local Plan (2015-2030) (adopted December 2015)

The following Local Plan policies are relevant to this application:

- Policy SD1: Presumption in Favour of Sustainable Development. In line with the planned approach to Crawley as a new town, and the spatial patterns relating to the neighbourhood principles, when considering development proposals the Council will take a positive approach to approving development which is sustainable.
- Policy CH2: Principles of Good Urban Design seeks to assist in the creation, retention or enhancement of successful places.
- Policy CH3: Normal Requirements of All New Development required all development to make a positive contribution to the area; be of a high quality urban design; provide and retain a good standard of amenity for all nearby and future occupants of land and buildings; be able to meet its own operational requirements necessary for the safe and proper use of the site; and retain existing individual or groups of trees of trees that contribute positively to the area and allow sufficient space for trees to reach maturity. Sufficient space should also be provided in private gardens that would not be overshadowed by tree canopies; and proposals should ensure that rooms within buildings would receive adequate daylight.
Development proposals, including residential extensions, must adhere to any relevant supplementary planning guidance produced by the Council.
- Policy IN4: Car and Cycle Parking Standards. Development will be permitted where the proposals provide the appropriate amount of car and cycle parking to meet its needs when it is assessed against the borough council's car and cycle parking standards. These standards are contained within the Planning Obligations and s106 Agreements Supplementary Planning Document (SPD) or any subsequent similar document.

4.3 Submission Draft Crawley Borough Local Plan 2024-2040

The Local Plan Review 2024-2040 was submitted for examination on 31 July 2023. The examination commenced on 21 November 2023. Limited weight should therefore be given to the following policies:

- Policy SD1: Presumption in Favour of Sustainable Development.
- Policy CL2: Making Successful Places: Principles of Good Urban Design.
- Policy DD1: Normal Requirements of All New Development.
- Policy ST2: Car and Cycle Parking Standards.

4.4 Urban Design Supplementary Planning Document (adopted October 2016)

The Urban Design SPD is a non-statutory document that supplements the policies of the Local Plan and is applicable to this application. It contains guidelines on the standards the Council expects for the public design and the design of householder developments. In particular, it states that:

- A development with good design in mind will relate appropriately to the parent dwelling's character, style, dimensions, materials and finishes, and the character of the neighbourhood. Furthermore, when considering a householder development it is important to think about the impact the development may have on your neighbours and the wider area.
- Side extensions should avoid a 'terracing effect' in the streetscape. A 2m separation distance between the side elevation and the property boundary can achieve this, or sometimes a set back from the principle elevation.
- 'Development should incorporate materials and colours that match the existing dwelling'.
- 'Extensions should consider existing roof pitches. A roof design that sits in harmony with the existing roof will usually be more acceptable'.

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- 'Brick detailing and fenestration (arrangement of windows) also contribute to the appearance of a dwelling. Any development should reflect the existing dwelling by ensuring that new window apertures are of a matching size and situated in line with existing ones. If an existing building features brick detailing, this should be continued or reflected in an extension'.
- 'Rear extensions can significantly impact the amenity of neighbouring dwellings by leading to overshadowing or a dominating appearance, but also have the potential to impact on the amenity of the parent dwelling by reducing the overall size of a rear garden'.
- 'Overshadowing or dominating neighbours' houses and gardens can be avoided by keeping rear extensions relatively small as compared to the size of the main buildings and the gardens in which they stand'.
- 'One or two storey rear extensions will need to maintain a minimum distance of 21 metres between the rear windows of an opposing dwelling and the rear facing windows of the extension, in order to avoid any potential overlooking and privacy issues'.
- 'A rear extension should not consume the entirety of a dwelling's private amenity space. 'A garden should be retained with a minimum depth of 10.5 metres measured from the extensions rear external wall to the property's rear boundary in length, in order to ensure adequate private outdoor space'.
- 'A single storey extension should not encroach into an area measured by drawing a 45 degree angle from the nearest edge of a neighbours' window or door aperture'.
- 'The roof form above an extension will contribute to the appearance of the extension and the dwelling as a whole. A roof design that sits in harmony with the existing roof will usually be more acceptable. Roof extensions should not dominate by being too large and flat roofs are generally discouraged unless they are in harmony with the existing dwelling'.

PLANNING CONSIDERATIONS:-

5.1 The main considerations in the determination of this application are:

- The design and appearance of the proposals and the impact on the dwelling, streetscene and wider area
- Impact on occupants of neighbouring properties
- Parking
- Water neutrality.

The design and appearance of the proposal and its impact on the dwelling, streetscene and wider area

- 5.2 The Urban Design SPD states that it is important for an extension to relate appropriately to the parent dwelling's character and style, dimensions, materials and finishes and the character of the neighbourhood with side extensions to appear subservient and not overly dominant within the street-scene. In terms of materials and fenestration it is proposed that the materials and windows for both the side and rear extensions would match those of the existing property.
- 5.3 The proposed single storey side extension would have a flat roof to be similar to the existing set back garage. It would be set back from the main front elevation of the house by 1 metre. Although the extension would alter the appearance of the building, the set back of the side extension from the main front elevation would retain a visual break between this house and no. 9 Kithurst Close that is also feature of the development in the street. The proposed extension as would appear as a subservient addition to this two-storey property and one that would be in keeping with the scale and the character of the existing house. The proposal has been designed so that it would not be a dominant feature within the street scene and would not result in a terracing effect.
- 5.4 The rear extension would be single storey with a flat roof and would appear subservient to the existing dwellinghouse. There would be limited public views of this extension as the house is on a corner plot, but it would be fairly typical of extensions to the rear of houses and not be of a significant scale or unsympathetic design. It is not therefore considered that it would not cause harm to visual amenity or the character of the area.
- 5.5 The proposed additions to the property would result in relatively significant increase in the footprint of the building. However both extensions would be single storey and the rear garden is large enough to comfortably accommodate the rear extension, which would have a retained length of 12 metres. The

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garden length would therefore continue to comply with the Council's Urban Design SPD that recommends a 10.5m length of rear garden should be retained.

- 5.6 It is therefore considered the proposals would accord with guidance in the Urban Design SPD and the relevant development plan policies, in particular CH3. The impact of the extensions on the character of the building, the street-scene and the character of the area would therefore be acceptable.

Impact on occupants of neighbouring properties

- 5.7 The dwelling is located on a corner plot and the main property to be affected by the development would be the adjoining property to the north, No.9 Kithurst Close that is approximately 0.6m lower than the application site. The side extension would be located to the south of the side elevation of this house where there are no facing windows. This extension would also be set back from the front elevation of this dwelling and although there would be likely to be a relatively small increase in overshadowing of the front bay window, there would not be a harmful impact upon this neighbours' amenities from this part of the development.
- 5.8 With regards to the rear of the extension, the existing garage building already projects beyond the rear of the neighbours rear elevation by 2 metres. The proposed rear extension would extend 4.8 metres in total beyond the existing rear elevation of the neighbour's house. This would include 2m on the boundary where the existing garage is sited and a further 2.8m that would be set in 1m from the boundary between the two properties. The boundary with this house is formed by a retaining wall and close boarded fence. As the site is set on higher land level than No.9 the proposed set away from the boundary would result in the boundary fence screening a significant part of the rear extension from the neighbours garden/rear elevation. Due to the extension being single storey and the 1m set back from the boundary the resultant impact would not result in a loss of light or harmful overbearing impact.
- 5.9 It is considered that the 12m length of the rear garden to be retained would ensure that the single storey rear extension, with the back-drop of the existing two storey rear elevation, would not result in a harmful impact upon the outlook from the rear elevations and gardens of the neighbours properties backing onto the site at nos. 1 and 3 Sullington Hill.
- 5.10 With regards to privacy and overlooking, as the proposed extensions would be single storey the rear extension windows would only have an outlook into the retained 12m long rear garden of the site itself and the front facing window in the side extension would only face onto the street. It is not therefore considered that the development would result in overlooking and a harmful loss of privacy to neighbouring occupiers.
- 5.11 It is therefore considered that the impact upon neighbouring occupiers' amenities would be acceptable and the development would comply in this regard with the Urban Design SPD and the relevant Development Plan policies, in particular CH3.

Parking

- 5.12 The existing house currently has 4 bedrooms and there is parking for at least 3 cars off road plus a garage. The proposed extension would result in an increase of one bedroom to create a 5 bedroom house. The vehicle parking standards set out within the Urban Design SPD states that for a 3+ bedroom dwelling, 2 or 3 parking spaces should be provided. The proposal would result in the loss of one parking space to the front of the garage and the parking space within the garage. Given that there would be space to park 2-3 vehicles to the front of the dwelling off road, the proposal would not conflict with the adopted parking standards. As such it is considered the proposal would not considered adversely impact on the parking arrangements in the locality and would accord with development plan policy in this regard.

Water neutrality

- 5.13 The Local Planning Authority received a Position Statement from Natural England on 14 September 2021. It raised significant concerns about the impact of water abstraction in the Sussex North Water

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Resource Zone upon the Arun Valley's protected SAC, SPA and Ramsar sites. A screening assessment has now been undertaken, which concludes that the evidence shows that house extensions (excluding annexes and swimming pools) do not increase water usage and are therefore water neutral. The Local Planning Authority has therefore concluded that the proposed extensions would not adversely affect the integrity of the protected sites and would not conflict with the obligations under the Conservation of Habitats and Species Regulations 2017.

Other matters

- 5.14 In response to the neighbouring objections with regards to the dwelling being converted into a House in Multiple Occupation, as this has not been applied for, the application therefore needs to be considered on its merits as extensions to a single dwelling house. If the use was to change from a single dwelling house to a House in Multiple Occupation in the future, this may be a matter to be considered on its merits at that time.

CONCLUSIONS:-

- 6.1 In conclusion it is considered that the design, appearance and scale of the proposal as amended would be acceptable and the proposals would not harm the residential amenities of occupiers of neighbouring houses. The off-site parking provision, even with the loss of the garage, would not conflict with the Councils adopted parking standards. The development would also be water neutral. As a result the proposal would accord with the Policies outlined in the Crawley Borough Local Plan 2015-2030, the Urban Design SPD (2016) and the National Planning Policy Framework (2023).

RECOMMENDATION RE: CR/2023/0395/FUL

PERMIT - Subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
REASON: To comply with Section 91 of the Town & Country Planning Act 1990.
2. The development hereby permitted shall not be carried out other than in accordance with the approved plans as listed below save as varied by the conditions hereafter:
(Drawing numbers to be added)
REASON: For the avoidance of doubt and in the interests of proper planning.
3. The materials and finishes of the external walls (and roof(s)) of the proposed #### hereby permitted shall match in colour and texture to those of the existing dwelling/building.
REASON: In the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

INFORMATIVES

1. If the proposed works are located within 6m of the substation, then they are notifiable under the Party Wall etc. Act 1996. The Applicant should provide details of the proposed works and liaise with the Company to ensure that appropriate protective measures and mitigation solutions are agreed in accordance with the Act. The Applicant would need to be responsible for any costs associated with any appropriate measures required. Any Party Wall Notice should be served on UK Power Networks at its registered office: UK Power Networks, Newington House, 237 Southwark Bridge Road, London SE1 6NP.

Our engineering guidelines state that the distance between a dwelling of two or more stories with living or bedroom windows overlooking a distribution substation should be a minimum of ten metres if the transformer is outdoor, seven metres if the transformer has a GRP surround or one metre if the transformer is enclosed in a brick building. It is a recognised fact that transformers emit a low level hum which can cause annoyance to nearby properties. This noise is mainly airborne in origin and is more noticeable during the summer months when people tend to spend more time in their gardens and sleep with open windows.

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A problem can also occur when footings of buildings are too close to substation structures. Vibration from the transformer can be transmitted through the ground and into the walls of adjacent buildings. This, you can imagine, is very annoying. In practice there is little that can be done to alleviate these problems after the event. We therefore offer advice as follows:

1. The distance between buildings and substations should be greater than seven metres or as far as is practically possible.
2. Care should be taken to ensure that footings of new buildings are kept separated from substation structures.
3. Buildings should be designed so that rooms of high occupancy, i.e. bedrooms and living rooms, do not overlook or have windows opening out over the substation.
4. If noise attenuation methods are found to be necessary we would expect to recover our costs from the developer.

Other points to note:

5. UK Power Networks require 24 hour vehicular access to their substations. Consideration for this should be taken during the design stage of the development.
 6. The development may have a detrimental impact on our rights of access to and from the substation. If in doubt please seek advice from our Operational Property and Consents team at Barton Road, Bury St Edmunds, Suffolk, IP32 7BG.
 7. No building materials should be left in a position where they might compromise the security of the substation or could be used as climbing aids to get over the substation surround.
 8. There are underground cables on the site associated with the substation and these run in close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.
 9. All works should be undertaken with due regard to Health & Safety Guidance notes HS(G)47 Avoiding Danger from Underground services. This document is available from local HSE offices.
- Should any diversion works be necessary as a result of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

NPPF Statement

In determining this planning application, the Local Planning Authority assessed the proposal against all material considerations and has worked with the applicant in a positive and proactive manner based on seeking solutions where possible and required, by:

- Providing advice in a timely and manner through pre-application discussions/correspondence.
- Liaising with respondents/applicant/agent and discussing the proposal where considered appropriate and necessary in a timely manner during the course of the determination of the application.
- Seeking amended plans/additional information to address identified issues during the course of the application.

This decision has been taken in accordance with the requirement in the National Planning Policy Framework, as set out in article 35, of the Town and Country Planning (Development Management Procedure) Order 2015.

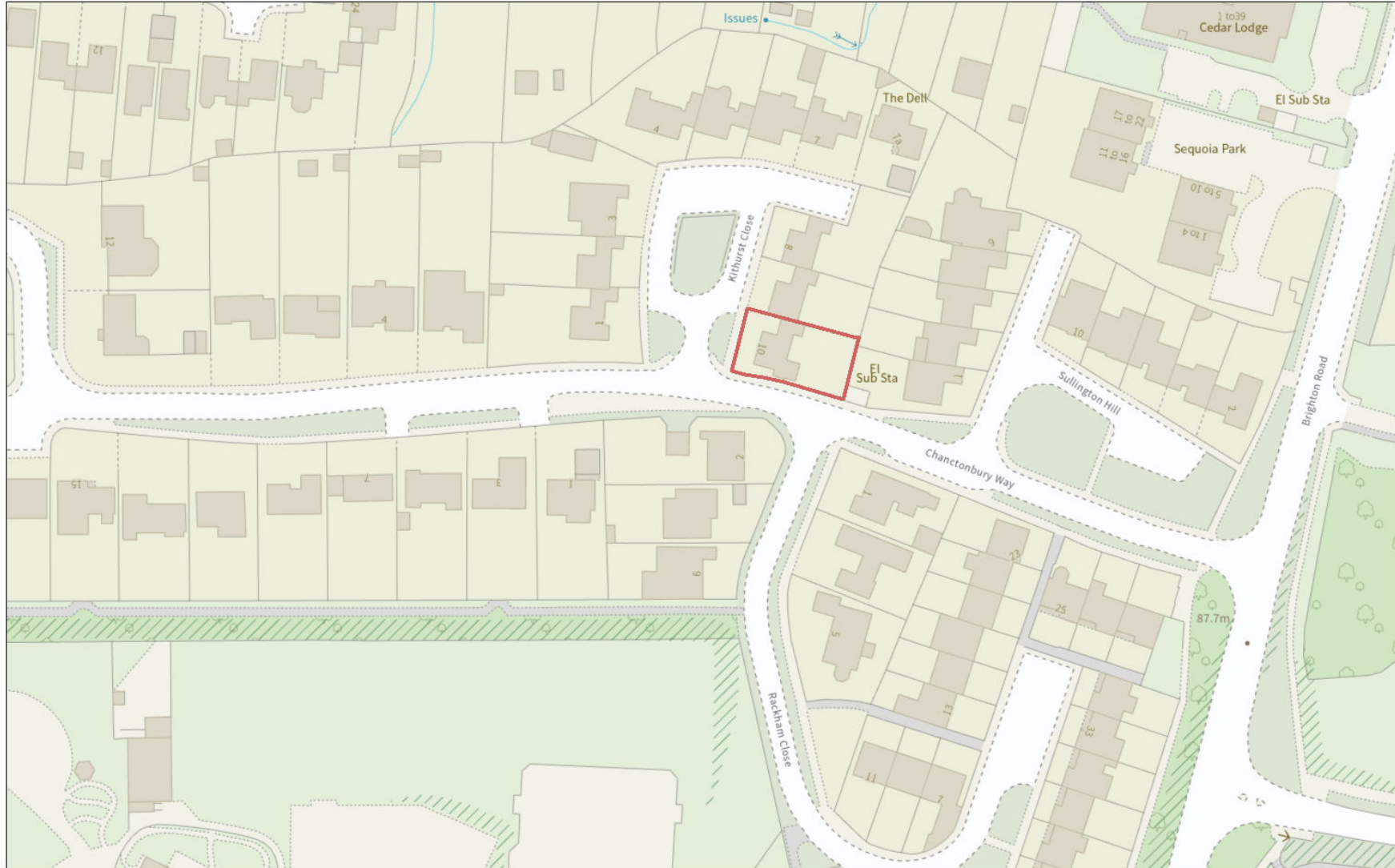


ArcGIS Web Map



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE - 9 January 2024
REPORT NO: PES/450(b)

REFERENCE NO: CR/2023/0436/TPO

LOCATION: [WORTH PARK LAKE, POUND HILL, CRAWLEY](#)
WARD: Pound Hill North & Forge Wood
PROPOSAL: 9234 1 X ASH - REMOVE DEAD WOOD. REMOVE 1 X LOWER BRANCH ON WEST SIDE LEANING OVER GARDEN OF 130 GRATTONS DRIVE (MARKED ON PHOTO). REPOLLARD BY APPROX 3 METRES BACK TO PREVIOUS PRUNING POINTS.
9267 1 X ASH – REDUCE CROWN BY 1.5 TO 2 METRES
TARGET DECISION DATE: 19 September 2023
CASE OFFICER: Mr R. Spurrell
APPLICANT'S NAME: Crawley Borough Council
AGENT'S NAME: Crawley Borough Council

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
CBC 0001		Tree Plan

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant.

PUBLICITY / NOTIFICATION:-

- 1.1 As CBC is the applicant, notification is required by way of a site notice. The consultation expiry period ended on 17th October 2023. No representations have been received.

PLANNING HISTORY:-

- 2.1 There is no planning history for tree surgery to these two ash trees.
- 2.2 Various tree works have been agreed to other trees within Worth Park as part of tree maintenance and management of the open space.
- 2.3 The trees are protected under Tree Preservation Order Reference 16.07.04, Number: W1

PLANNING POLICY:-

- 3.1 This application must be considered in the context of the following legislation:
- Part VIII of the Town and Country Planning Act 1990 and The Town and Country Planning (Tree Preservation) (England) Regulation 2012.
 - National Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
 - Green Infrastructure Supplementary Planning Document (2016) produced to accompany the current adopted Local Plan and is a non-statutory document.

PLANNING CONSIDERATIONS:-

- 4.1 The determining issues in this application are the effect of the proposed works on the health, character and appearance of the trees and the level of amenity that they provide within the surrounding area.

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4.2 The ash trees are located adjacent to the rear boundary of 130 Grattons Drive within the grounds of Worth Park on a strip of land between the rear garden fence and the lake. They are mature specimens and are considered to make some contribution to the overall tree cover in the area however, the trees have Ash Dieback and therefore have relatively sparse crowns. They have an estimated life expectancy of 10 – 20 years.

4.3 The proposed works are for surgery to both trees comprising:

- Tree no 9234- removal of lower branch on west side leaning over garden of 130 Grattons Drive (as marked on submitted photo), deadwooding and re-pollarding by approximately 3 metres back to previous pruning points.
- Tree 9267 – reduce crown by 1.5 – 2 metres.

The applicant states the works are required to make the trees safe and maintain them at a suitable size for their location and condition.

4.4 The trees are located away from the public footpaths which are situated around the edge of the lake and form part of a much denser area of tree screening. The trees are not particularly visible to the public. It is considered the works would therefore have only a negligible impact on visual amenity.

4.5 It is considered the works are acceptable in terms of visual amenity and are justified given the condition of the trees. Consent is therefore recommended.

RECOMMENDATION RE: CR/2023/0436/TPO:-

CONSENT - Subject to the following conditions:-

1. This consent is valid for a period of two years from the date of this notice and shall only be carried out once.
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.

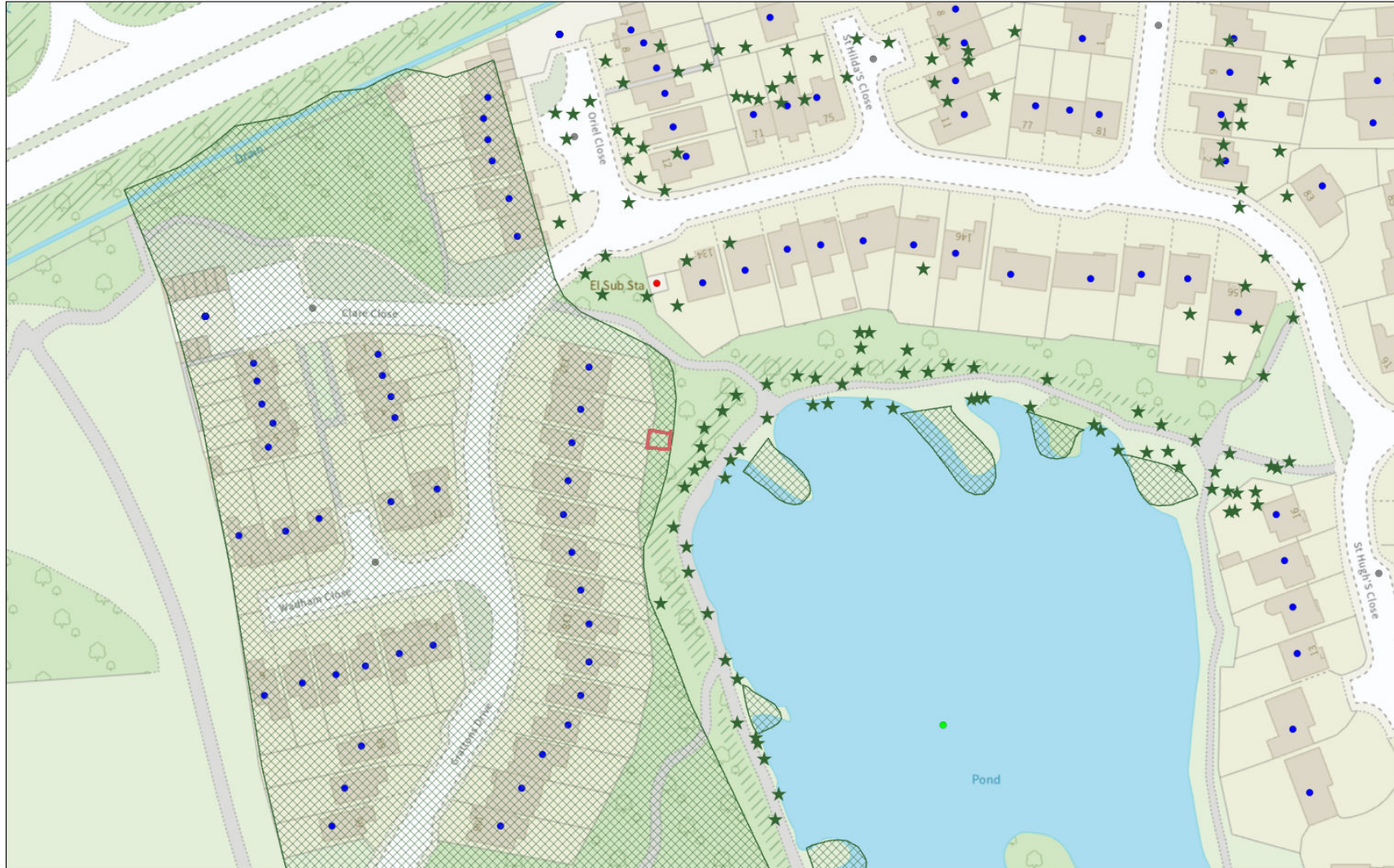


ArcGIS Web Map



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CRAWLEY BOROUGH COUNCIL
PLANNING COMMITTEE – 9 January 2024
REPORT NO: PES/450(c)

REFERENCE NO: CR/2023/0558/TPO

LOCATION: [64 PEARSON ROAD, POUND HILL, CRAWLEY](#)
WARD: Pound Hill South and Worth
PROPOSAL: T1 OAK - FELL
TARGET DECISION DATE: 15 November 2023
CASE OFFICER: Mr R. Spurrell
APPLICANT'S NAME: Crawley Borough Council
AGENT'S NAME: Crawley Borough Council

PLANS & DRAWINGS CONSIDERED:-

Drawing Number	Revision	Drawing Title
CBC 0001		Tree Location Plan

REASON FOR REPORTING TO COMMITTEE:-

Crawley Borough Council is the applicant.

PUBLICITY / NOTIFICATION:-

- 1.1 As CBC is the applicant, notification is required by way of a site notice. The consultation expiry period ended on 24th November 2023. No representations have been received.

PLANNING HISTORY:-

- 2.1 The tree the subject of this application was granted consent for works under application reference CR/2020/0559/TPO for a reduction in height and crown radius by 2m and the removal of stem growth up to the crown break.
- 2.2 The tree is protected under Tree Preservation Order Reference: 16.08.72, Number G1.

PLANNING POLICY:-

- 3.1 This application must be considered in the context of the following legislation:
- Part VIII of the Town and Country Planning Act 1990 and The Town and Country Planning (Tree Preservation) (England) Regulation 2012.
 - National Planning Practice Guidance – Tree Preservation Orders and trees in conservation areas.
 - Green Infrastructure Supplementary Planning Document (2016) produced to accompany the current adopted Local Plan and is a non-statutory document.

PLANNING CONSIDERATIONS:-

- 4.1 The determining issues in this application are the effect of the proposal on the health, character and appearance of the tree and the level of amenity that it provides within the surrounding area.
- 4.2 The oak tree is located in the rear garden of 64 Pearson Road close to the boundary with 62 Pearson Road. It is one within a row of trees which extend along the northern rear garden boundaries of numbers 62-68 (evens) Pearson Road. It is a very large and attractive tree which together with others in the group makes an important contribution to the green amenity of the surrounding area. However, the estimated remaining contribution from it to the visual amenity of the area is considered to be potentially less than 10 years.

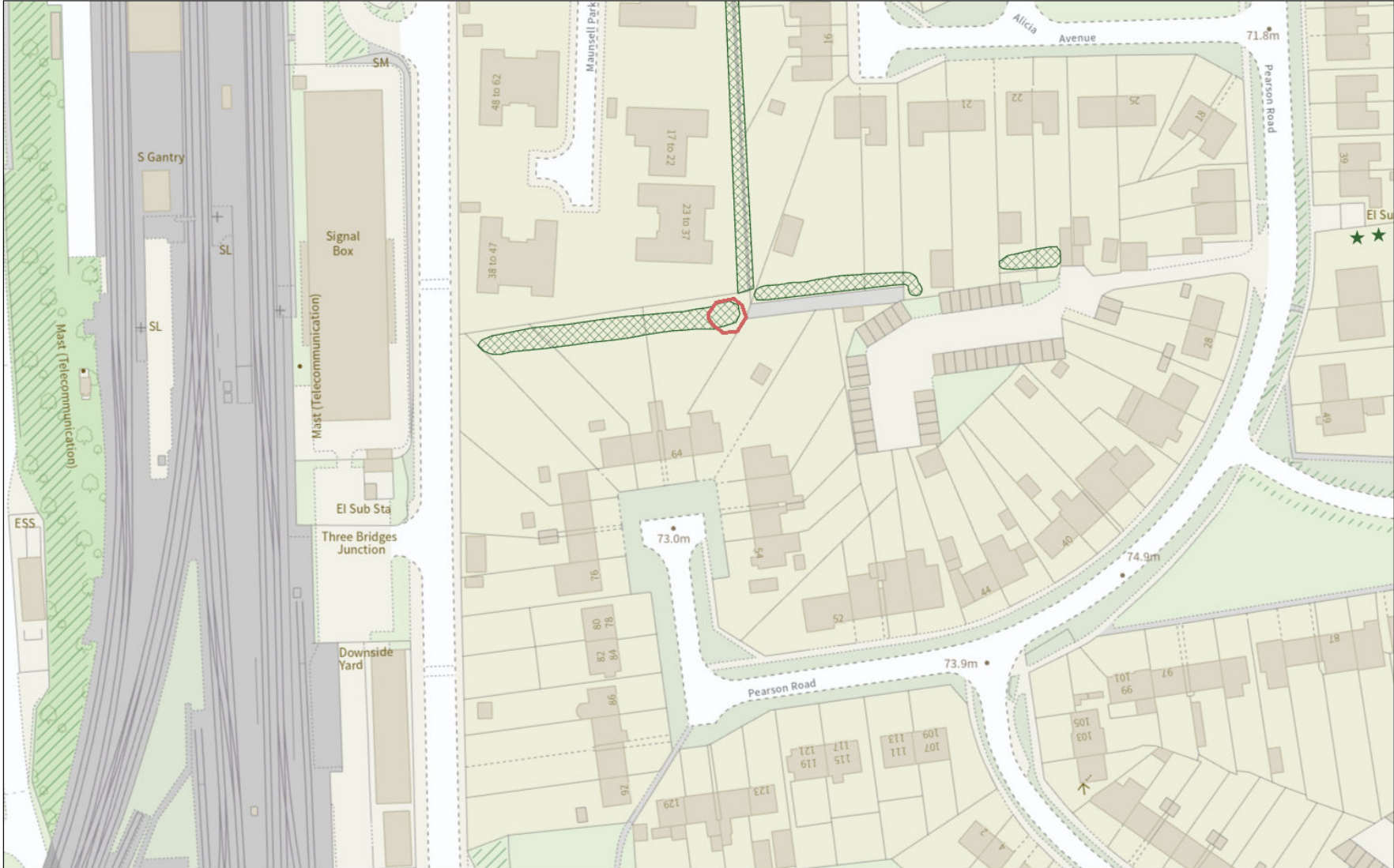
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- 4.3 Consent is sought to fell the tree for safety reasons due to disease and buttress decay.
- 4.4 The tree is infected with Ganoderma with significant decay in two of the buttress roots on the south-east aspect, nearest the fence. There are very large cavities in both buttress roots which have left very little residual wood which will have seriously compromised the strength and structural stability of the roots leaving the tree liable to failure, especially considering the size of the specimen.
- 4.5 Whilst remedial works in the form of a reduction may mitigate the risk of failure to an acceptable level, it is considered a reduction would be to such an extent that the resultant tree remaining would have little to no visual amenity. Furthermore, there would be an ongoing requirement for repeated reductions in order to maintain the tree at that reduced (safe) size.
- 4.6 Given the conclusions on the likely ongoing tree health and management set out in paragraph 4.5 above, it is therefore recommended, on balance, that the tree should be removed and replaced with another oak tree in a similar position (a little further from the boundary). The presence of Ganoderma on the subject tree should not be an issue for the replacement specimen since spores of this infection tend to gain entry through wounds in the bark and are omnipresent anyway. Once the tree has been removed, the stump ground out (recommended) and the replacement tree planted in the following planting season the likelihood of infection would be considered no higher than in any other case.

RECOMMENDATION RE: CR/2023/0558/TPO:-

CONSENT - Subject to the following conditions:-

1. This consent is valid for a period of two years from the date of this notice and shall only be carried out once.
REASON: To enable the Local Planning Authority to control the works in the interests of good tree management in accordance with Regulation 17 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
2. All works should be carried out in accordance with BS3998: 2010 'Tree Work Recommendations'.
REASON: In the interests of visual amenity and to ensure the continuing health of the tree(s) in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.
3. Within 12 months of the felling of the tree, the owner of the land shall plant an Oak tree, in a location as close to the felled tree as practical and within the garden of 64 Pearspon Road. The tree shall be not less than nursery standard size and conform to British Standard 3936: Nursery Stock Specification. In the event that the tree dies within five years following such planting, it shall be replaced with a similar tree in a similar position during the next planting season.
REASON: In the interests of the amenity of environment of the locality in accordance with The Town & Country Planning (Tree Preservation) (England) Regulations 2012.



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