

## Crawley Borough Council

### Minutes of Planning Committee

Monday, 11 February 2019 at 7.30 pm

#### Councillors Present:

I T Irvine (Chair)

R S Fiveash (Vice-Chair)

M L Ayling, A Belben, N J Boxall, B J Burgess, K L Jaggard, S Malik, T Rana, P C Smith, M A Stone, K Sudan, G Thomas and L Vitler

#### Also in Attendance:

Councillor A Pendlington

#### Officers Present:

|                 |  |
|-----------------|--|
| Roger Brownings | Democratic Services Officer            |
| Kevin Carr      | Legal Services Manager                 |
| Jean McPherson  | Group Manager (Development Management) |
| Marc Robinson   | Principal Planning Officer             |
| Clem Smith      | Head of Economy and Planning           |

#### Apologies for Absence:

Councillor J Tarrant

#### 1. Disclosures of Interest

The following disclosure of interests was made:

| Councillor          | Item and Minute  | Type and Nature of Disclosure  |
|---------------------|--|--|
| Councillor G Thomas | CR/2018/0273/FUL - Gatwick Airport Station, South Terminal, Gatwick (Minute 6) | Personal Interest – Council representative on the Gatwick Airport Consultative Committee(GATCOM) |

#### 2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillors Ayling, A Belben, B J Burgess, Fiveash, Irvine, Jaggard, Malik, Rana,

P C Smith, Stone, Sudan and Thomas had been lobbied regarding application CR/2018/0831/FUL.

Councillors A Belben and Boxall had been lobbied regarding application CR/2018/0834/FUL.

Councillors A Belben and Boxall had been lobbied regarding application CR/2018/0835/ADV.

### **3. Minutes**

The minutes of the meeting of the Planning Committee held on 21 January 2019 were approved as a correct record and signed by the Chair.

### **4. Planning Application CR/2018/0831/FUL - 22 Dene Tye, Pound Hill, Crawley**

The Committee considered report PES/290 (b) of the Head of Economy and Planning which proposed as follows:

Erection of a part two storey and part first floor front extension over the existing garage, re-clad existing dormer window with dark grey boarding and install two windows on the western flank elevation.

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

The Principal Planning Officer provided a verbal summation of the application.

Mr James Nayler, the Applicant, addressed the meeting in support of the application.

The Committee then considered the application. In response to issues raised the Principal Planning Officer:

- Indicated that with regard to the front hardstanding area, there was space to accommodate 2-3 vehicles. According to the Urban Design SPD the minimum parking standards for a 3 plus bedroom dwelling in this location was 2-3 spaces. As such the parking arrangements were considered satisfactory, with no need to remove a tree from the front of site, and would accord with Local Plan Policy, and the NPPF.
- Commented that there were other front gable extensions/features within the immediate street scene, but it was considered that these were better integrated with the character of the original house, did not extend across the front of the property and therefore remained more sympathetic to the original design.
- Explained that the Council's Local Plan sought to prevent harm to the nature and character of an area.

With the Committee having considered the application further, and whilst some Members indicated their support for the application, the majority of Members considered that the prominent siting, incongruous design, materials, roof type, scale and massing of the proposed first floor front extension would detract from the design and character of the original dwelling, and harm the visual amenities of the street scene of the area.

**RESOLVED**

**Refuse**, for the reason set out in report PES/290 (b).

**5. Objections to the Crawley Borough Council Tree Preservation Order 57 Ardingly Close, Ifield - 14/2018**

The Group Manager (Development Management) introduced report PES/311 of the Head of Economy and Planning, which sought to determine whether to confirm this Tree Preservation Order (TPO) with or without modification for continued protection or, not to confirm the TPO.

Councillor Jaggard declared she had visited the site.

Mrs J Burton (an adjoining neighbour to the site) addressed the Committee and emphasised that she was not objecting to the Tree Preservation Order but that she would like the tree to be properly maintained, with regular inspections to ensure that the tree remained healthy and safe.

The Committee then considered the TPO as proposed, including the representations received. In response to issues raised, the Group Manager (Development Management):

- Emphasised that the tree was privately owned and as such was the sole responsibility of the land owner and this included the duty to take all reasonable steps to ensure that the tree was maintained in a safe condition that did not put themselves or others at risk. This was a legal obligation.
- Explained that the imposition of a Tree Preservation Order did not prevent the tree owner from carrying out necessary works to a protected tree provided: the works could be demonstrated to be justified, the formal application process was followed and consent was granted.
- Confirmed that a neighbour could make an application to have work done on the tree, including pruning, where the tree overhung into their garden.
- Referred to the fact that in all cases where a TPO was in place, a tree officer could provide advice as to what work could be undertaken.

The Committee continued to consider this matter further, whilst Councillor P C Smith indicated that as a Ward Member for Ifield he would be happy to help encourage the maintenance obligations at this site should that need arise.

Having considered the issues raised, the Committee agreed to confirm the TPO without modification.

**RESOLVED**

**Confirm.**

**6. Planning Application CR/2018/0273/FUL - Gatwick Airport Station, South Terminal, Gatwick**

The Committee considered report PES/290 (a) of the Head of Economy and Planning which proposed as follows:

Proposed construction of new station concourse/airport entrance area, link bridges, platform canopies, back of house staff accommodation and associated improvement works (amended flood risk assessment received).

Councillors Boxall, Stone and Thomas declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application and provided the Committee with the following update:

- Although inadvertently omitted from the report as part of the responses received from consultees, GAL have advised that it supports the proposals.
- The Applicant has advised that the existing cycle parking provision for passengers would remain unaltered.
- There would be an amendment made to Condition 6 to reflect the fact that this would not now be a pre-commencement condition. The amended Condition is as set out below:-
  6. No development above platform level shall commence until details of the permanent lighting scheme for the development are submitted to and approved in writing by the Local Planning Authority. No subsequent alterations shall take place unless first submitted to and approved in writing by the Local Planning Authority.  
REASON: It is necessary to control the permanent lighting arrangements on this development to avoid confusion with aeronautical ground lighting and to prevent glint and glare to pilots and ATC which could endanger the safe movement of aircraft and the operation of Gatwick Airport in accordance with policy GAT1 of the Crawley Borough Local Plan 2015-2030.  
  
For Information: Please refer to AOA Advice Note 2 'Lighting Near Aerodromes', available from: <http://www.aoa.org.uk/policy-campaigns/operations-safety>
- The Applicant had not yet addressed the issues identified in Paragraphs 5.11 and 5.12 of the report in that they had not currently provided adequate details of how the application would comply with policy ENV7 (District Energy Networks). As such the report's Recommendation had been amended so that the decision on the application would be delegated to the Head of Economy and Planning, subject to the receipt of satisfactory information to ensure the requirements of ENV7 had been addressed.

The Committee then considered the application. In response to an issue raised, the Principal Planning Officer confirmed that cycle parking provision for passengers would remain as it was. The applicant had confirmed that lifts would be capable of carrying cycles and there would be wider access points within the station for passengers. Cycle access within the station would therefore be improved. Whilst cycle storage was proposed for staff, this application did not include cycle storage for passengers. On balance the lack of improved cycle parking facilities for passengers was considered acceptable when weighed against the other benefits that the scheme would deliver.

The Committee in discussing the application further, felt that the proposed alterations to the Airport's Railway Station would enhance the facility as a modern, well designed

structure and provide an improved rail access to Gatwick Airport and the surrounding area including Manor Royal.

## **RESOLVED**

That a decision to Permit be delegated to the Head of Economy and Planning, subject to:

- (i) The receipt from the Applicant of additional information to satisfactorily address Policy ENV7 (District Energy Networks).
- (ii) The Conditions set out in report PES/290 (a), and the updated Condition 6 above.

### **7. Planning Application CR/2018/0834/FUL - NCP Cross Keys Car Park, The Broadway, High Street, Northgate**

The Committee considered report PES/290 (c) of the Head of Economy and Planning which proposed as follows:

Retrospective planning application for the installation of 1no. pole mounted Automatic Number Plate Recognition (ANPR) camera.

Councillors A Belben, Boxall, Fiveash, Irvine, Jaggard, Stone and Sudan declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application. In response to concerns and issues raised, the Group Manager (Development Management):

- Explained that the camera was positioned to face the car park exit to the north and would not have any view of the nearest residential properties to the west (above St Johns Hall).
- Confirmed that the area the camera viewed was shown on the submitted plans and it had been considered expedient to restrict the view of the camera to this area.
- Referred to the fact that the camera was positioned on a slim pole, and given that there would only be one camera on the site (and in isolation this was considered to be inconspicuous, and not a proliferation of street furniture), it was not felt to have a significant impact on the amenity of neighbouring properties by way of loss of privacy or overshadowing or over dominance.
- Acknowledged that there was another pole on the site which had no camera on it, and whilst that pole would be looked at in the future for planning permission purposes and the issue of proliferation potentially being considered then, that pole would not form part of this application's consideration.
- Clarified that if this retrospective application was approved at this meeting it would take effect from this meeting's date.
- Emphasised that the legality of issuing parking enforcement tickets at this site was not a planning matter, but would be a matter between the ticket holder and the car park operator
- Advised that it was up to the car park operator to choose how it enforced the car park.

- Considered that the camera pole was not a prominent feature and overall was of an appropriate scale, design and siting, and did not have an unacceptable impact on the visual amenity of St John's Church as a Listed Building

The Committee continued to consider the application information.

## **RESOLVED**

**Permit**, subject to conditions set out in report PES/290 (c).

### **8. Planning Application CR/2018/0835/ADV - NCP Cross Keys Car Park, The Broadway, High Street, Northgate**

The Committee considered report PES/290 (d) of the Head of Economy and Planning which proposed as follows:

Advertisement consent for the installation of 12no. non-illuminated post mounted signs.

Councillors A Belben, Boxall, B J Burgess, Fiveash, Irvine, Jaggard, Stone and Sudan declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application.

The Committee then considered the application. In response to concerns and issues raised, the Group Manager (Development Management):

- Emphasised that the signs currently on the site were not the signs to be considered at this meeting, and that the application before the Committee sought to change those signs.
- Indicated that Officers were concerned that the signs, by virtue of their excessive number, varying sizes and proportions were considered to give a disjointed and cluttered appearance to the car park and its surroundings and to negatively impact on the visual amenity of the site, the streetscene of The Broadway and the setting and views of the Listed Building St John's Church.
- Explained that the existing signs had been installed without advertisement consent and that this was a matter to be considered further under the planning enforcement process.
- Acknowledged that the application had been recommended for refusal, but had been called-in, although it could have, instead, been delegated for decision. However, it made sense to bring the application forward to this meeting, and thus be considered along with the previous application submitted to this meeting (Minute 7 refers) which related to the same site.
- Advised that the yellow bollards were not part of the application and were permitted development. The LPA could request the applicant to alter the colour.
- Indicated that if the application was refused, the Applicant would have a right to appeal, whilst also submitting an alternative application, and thus the removal of the signs could be delayed.
- Reiterated that the legality of issuing parking enforcement tickets at this site was not a planning matter, but would be a matter between the ticket holder and the car park operator.

**RESOLVED**

**Refuse**, for the reason set out in report PES/290 (d).

**9. Objections to the Crawley Borough Council Tree Preservation Order - 44 to 46, Green Lane, Northgate - 15/2018**

The Group Manager (Development Management) introduced report PES/312 of the Head of Economy and Planning, which sought to determine whether to confirm this Tree Preservation Order (TPO) with or without modification for continued protection or, not to confirm the TPO.

The Committee then considered the TPO as proposed. In response to an issue raised, the Group Manager (Development Management) explained that normally the Council's tree officer would inspect the base of a tree for its health purposes, but in this case (and in respect of the TPO considered earlier at this meeting, Minute no. 5 refers), there were no specific issues raised about the health of the trees so this wasn't considered an essential requirement prior to confirming the order.

Having considered the issues raised in the report, the Committee agreed to confirm the TPO without modification.

**RESOLVED**

**Confirm.**

**Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.47 pm

**Chair**