

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 4 June 2019 at 7.30 pm

Councillors Present:

S Malik (Chair)

T McAleney (Vice-Chair)

A Belben, F Guidera, J Hart, K L Jaggard, J Purdy, P C Smith and G Thomas

Also in Attendance:

Councillors R G Burgess, B J Burgess and Millar-Smith

Officers Present:

Edwina Adefehinti	Legal Adviser
Roger Brownings	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economy and Planning
Hamish Walke	Principal Planning Officer

Apologies for Absence:

Councillors L M Ascough and I T Irvine

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Guidera	CR/2019/0165/NCC Metro Bank, 25-29 Queens Square, Northgate, Crawley (Minute 6)	Personal Interest – Was a friend of a member of staff at the Bank.
Councillor Jaggard	CR//2019/0099/FUL 5 Houghton Road, Maidenbower, Crawley (Minute 4)	Personal and Prejudicial Interest – Councillor Jaggard left the meeting before consideration of this item and took no part in the discussion or voting on the item.

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillors Belben, Guidera and Jaggard had been lobbied regarding application CR/2019/0099/FUL.

Councillors Belben, Guidera, Hart, Jaggard, Malik, McAleney, Purdy, P C Smith and Thomas had been lobbied regarding application CR/2019/0165/NCC.

3. Minutes

The minutes of the meeting of the Planning Committee held on 8 April 2019 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2019/0099/FUL - 5 Houghton Road, Maidenbower, Crawley

The Committee considered report PES/320 (a) of the Head of Economy and Planning which proposed as follows:

Retrospective planning application for the erection of a fence with a maximum height of 1.8m.

Councillors Belben, Guidera, Hart, Jaggard, Purdy and P C Smith declared they had visited the site.

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

Ms Claire Jackson (the daughter of the applicant) addressed the meeting in support of the application, whilst Councillor Millar-Smith (Ward Councillor for Maidenbower) addressed the meeting in objection to the application. Many of the objections raised reflected those detailed in the report, including the visual amenity and value to the streetscene, highway issues and impacts on wildlife.

The Committee then considered the application. The Committee discussed the issues arising, including the comments raised by the speakers. In response to issues raised, the Principal Planning Officer:

- Emphasised that the fence followed the same boundary line as the adjacent wall and was considered satisfactory given that it was abutting a natural boundary treatment. As a result, there was no adverse impact on the footpath.
- Explained that a new access through the pedestrian gate (which formed part of the fence) did not in itself require planning permission.
- Confirmed that the Highway Authority had no highway safety concerns regarding either the fence or the new pedestrian gate.
- Explained that the land enclosed by the fence was part of the residential property rather than being amenity land. Despite the stretch of hedge previously having visual amenity value, it was clearly never approved or used as public amenity land and a change of use application was not required.
- Advised that the former fir trees forming the 8M length hedge were not protected by a Tree Preservation Order.

In response to comments made by a Member, the Committee could see no merit in adding a further condition to the application to seek the fence to be painted, and continued to consider carefully the application information. The Committee voted unanimously to permit the application.

RESOLVED

Permit, subject to conditions set out in report PES/320 (a).

5. Planning Application CR/2019/0111/FUL - 196 Three Bridges Road, Three Bridges, Crawley

The Committee considered report PES/320 (b) of the Head of Economy and Planning which proposed as follows:

Change of use from A2 (financial and professional services) to sui generis (hair and beauty salon).

Councillors Belben, Jaggard, Purdy, P C Smith and Thomas declared they had visited the site.

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

Mr Tyler Wootton (the Applicant) addressed the meeting in support of the application. Councillors B J Burgess and R G Burgess (Ward Councillors for Three Bridges) also addressed the meeting. Whilst both suggested they could see no reason for permission not to be granted, Councillor R G Burgess asked that any conditions applying to the application, including that regarding ventilation, should be strict in their intention and be strictly enforced, with the Applicant not permitted in future to seek to modify a condition, whilst Councillor B J Burgess raised concerns which reflected those detailed in the report regarding parking.

The Committee then considered the application. The Committee discussed the issues arising, including the comments raised by the speakers. In response to issues raised, the Principal Planning Officer:

- Advised that the car park to the east of the area was not part of the application site.
- Confirmed the provision of two car parking spaces on site to the rear.
- Commented that given the existing commercial A2 use of the site, the public parking within the vicinity and the sustainable location, the provision for parking was considered acceptable.
- Explained that in terms of opening hours, there was no condition recommended, but suggested that the proposed salon would not be open so late as to cause any local disturbance.
- Emphasised that in terms of conditions, the Environmental Health Team had recommended that a condition be placed on a permission which would require that any abatement equipment, external plant and ductwork necessary for ventilation serving the premises, was subject to the prior approval of the Local Planning Authority.

The Committee continued to consider carefully the application information. The Committee voted unanimously to permit the application.

RESOLVED

Permit, subject to the conditions set out in report PES/320 (b).

6. Planning Application CR/2019/0165/NCC - Metro Bank, 25-29 Queens Square, Northgate, Crawley

The Committee considered report PES/320 (c) of the Head of Economy and Planning which proposed as follows:

Removal of Condition 2 on CR/2018/0236/FUL requiring alterations to glazing bars and fenestration within 4 months of the date of the planning permission.

Councillors Belben, Guidera, Hart, Jaggard, P C Smith and Thomas declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, whilst also providing the Committee with the following update:

The Applicant had provided further background information by way of a briefing paper, which it was understood had been circulated the previous day to all Members of the Committee, and in respect of which Members had raised a lobbying declaration earlier at this meeting.

Mr Calum Ewing then addressed the meeting in support of the application.

The Committee then considered the application. The Committee discussed the issues arising, including the comments raised by the speakers. In response to issues raised, the Group Manager (Development Management):

- Confirmed that the application site was not within a conservation area.
- Explained that should the Committee agree to refuse the application, the Applicant had the right to make an appeal against that decision.
- Indicated that if there was an appeal and this was allowed, this did not imply that the Local Planning Authority would be subject to costs. Costs were only awarded where a party had behaved unreasonably, and unnecessary costs were incurred in the appeal process.
- Commented that there were design policies which had not been adhered to by the Applicant, which necessitated Condition 2 and which it was felt could be defended on appeal.

With the Committee having considered the application further, and whilst some Members indicated their support for the application, others referred to the fact that the changes required by Condition 2 were integral to the design of the building as a whole for which the Local Plan policies and the Urban Design SPD required a high quality design and for this to be in context and character with the surroundings. These policies were therefore directly relevant to the design of the shopfront and the alterations required by the Condition and there had been no change in policy circumstances since the permission was issued. Whilst the economic benefits that the Bank brought to the town were recognised, it was felt only right to enforce Condition 2 as the Applicants had proceeded with the works at risk and originally agreed to the design changes.

Councillor Guidera moved that a recorded vote be taken on the recommendation in accordance with Council Procedure Rule 25.5, and in so doing the names of the Members voting for and against that motion (to refuse the application), along with any abstentions, were recorded as set out below:

For the Motion (to refuse):

Councillors Hart, Malik, McAleney, P C Smith and Thomas (5).

Against the Motion (to refuse):

Councillors A Belben, Guidera, Jaggard and Purdy (4).

Abstentions:

None.

The proposal (to refuse) was therefore CARRIED, and it was

RESOLVED

Refuse, for the reason set out in report PES/320 (c)

7. Planning Application CR/2019/0209/TPO - Fairfield House, West Green Drive, West Green, Crawley

The Committee considered report PES/320 (d) of the Head of Economy and Planning which proposed as follows:

Prune back branches overhanging footpath by 1.5 metres to appropriate growth points (amended description).

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

The Committee then considered the application.

RESOLVED

Consent, subject to the conditions set out in report PES/320 (d).

8. Planning Application CR/2019/0211/TPO - Memorial Gardens, The Martlets Play Area, Rear of Halifax Bank, Northgate, Crawley

The Committee considered report PES/320 (e) of the Head of Economy and Planning which proposed as follows:

T1 Oak - fell. Replace with Lime tree.

Councillor P C Smith declared he had visited the site.

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

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

- Confirmed that the Oak would be replaced with a Lime tree, as this would extend what was an existing line of Lime trees that ran along the southern boundary of the Memorial Gardens to its western boundary.
- Indicated that Lime trees were a better species in this location.
- Suggested that in terms of the mechanics in replacing the Oak: the immediate area would be closed at the time of felling, tests would be made of the soil in

the area vacated, and the proposed Lime tree would be planted as soon as was possible at a location as close to the felled tree as practicable - Condition 3 refers.

RESOLVED

Consent, subject to the conditions set out in report PES/320 (e).

9. Roger Brownings

Following his recent announcement that he was soon to retire after 41 years at this Council, this was the last meeting to be attended by Roger, and as such the Chair on behalf of the Committee took this opportunity to thank Roger for all his committed and loyal service and wished him all the very best for his retirement.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.03 pm

Chair