

Crawley Borough Council

Minutes of Planning Committee

Monday, 18 November 2019 at 7.30 pm

Councillors Present:

S Malik (Chair)

T McAleney (Vice-Chair)

A Belben, J Hart, I T Irvine, K L Jaggard, M Mwagale, J Purdy, P C Smith and G Thomas

Also in Attendance:

Councillors R D Burrett and J Millar-Smith

Officers Present:

Valerie Cheesman	Principal Planning Officer
Heather Girling	Democratic Services Officer
Jean McPherson	Group Manager (Development Management)
Marc Robinson	Principal Planning Officer
Linda Saunders	Solicitor - Horsham DC
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Support Officer

Absent:

Councillor L M Ascough

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor P C Smith	CR/2019/0456/FUL – Units XA1 & XA2, Sussex Manor Business Park, Gatwick Road, Northgate, Crawley (Minute 7)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District.
Councillor P C Smith	CR/2019/0470/FUL – Units 1 and 2, Camino Park, James Watt Way, Northgate, Crawley (Minute 8)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District

Councillor
P C Smith

CR/2019/0550/FUL –
25 Bancroft Road,
Maidenbower, Crawley
(Minute 9)

Personal Interest –
Lives near the applicant

2. Lobbying Declarations

The following lobbying declarations were made by Councillors:-

Councillors Irvine, Malik and P C Smith had been lobbied regarding application CR/2019/0214/OUT.

Councillor Purdy had been lobbied regarding application CR/2019/0403/FUL.

Councillor Jaggard had been lobbied regarding application CR/2019/0550/FUL.

3. Minutes

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

4. Planning Application CR/2018/0312/FUL - Land North of Former Gas Holder Station, Crawley Avenue, Pound Hill

The Committee considered report [PES/326a](#) of the Head of Economy and Planning which proposed as follows:

Retrospective application for retention of hardstanding/fencing and proposed change of use of grassland/woodland to vehicle storage.

The Principal Planning Officer (MR) provided a verbal summation of the application. The Committee heard that retrospective permission had been sought after changes made at the site had come to the attention of Officers. The site, which fell within the boundary of the Forge Wood development, had previously been allocated for ecological enhancement and a retention of green space. The Committee heard that the site had instead seen the loss of both flora and fauna, and that the applicant had not made moves to mitigate this loss. The Committee was asked to note an update to the report which saw the removal of refusal reason number 8 and that this would instead be recorded on the decision notice as an informative.

The Committee then considered the application. Committee members discussed the loss of trees at the site, which Officers described as having been felled quickly. The Committee expressed general dissatisfaction with the application and queries were raised regarding the potential for enforcement action to be taken in the future if a breach of planning conditions was to be found.

RESOLVED

Refuse subject to reasons set out in report [PES/326a](#), with the exception of reason 8.

5. Planning Application CR/2019/0214/OUT - 42-44 Brighton Road, Southgate, Crawley

The Committee considered report [PES/326c](#) of the Head of Economy and Planning which proposed as follows:

Outline application (access and layout to be determined with appearance, landscaping and scale reserved) for the erection of a part 3 and part 4 storey building comprising of 5 x 1no. Bedroom flats and 15 x 2no. Bedroom flats, following the demolition of existing semi-detached dwellings, the creation of a new vehicular access from Stonefield Close and associated works and landscaping (amended plans received).

Councillors A Belben, Hart, Irvine, Jaggard and Purdy declared they had visited the site.

The Principal Planning Officer (MR) provided a verbal summation of the application. The Committee heard that the positioning, access and parking of the proposed development were deemed acceptable but there had been a failure to meet both the target threshold of 40% affordable housing as set out in the Crawley Borough Local Plan 2015-2030, and the minimum threshold of 10% affordable housing as set out in the National Planning Policy Framework (NPPF).

James Brill spoke in objection to the application. Concerns were raised regarding the size, parking, access, drainage, and general design and positioning of the development. The objector referred to the requirement for a minimum of a 21 metre gap between properties, and requested that Officers note that a town planning consultant had calculated that there would be a 15.74 gap metre to Alexandra Court. Concerns were also raised regarding disturbance to elderly residents of Stonefield Close and Alexandra Court.

Chris Maunders, on behalf of the applicant, spoke in support of the application and stated that the application had been submitted alongside a financial viability assessment, which had concluded that no affordable housing would be financially viable at the site. This assessment was reported as having stood up to further scrutiny. The negotiations that had occurred between the applicant and the LPA had been unsuccessful, and the Committee was informed that the applicant proposed to defend their position at appeal.

The Committee then considered the application. Committee members asked Officers to confirm the size of the gap between the proposed development and 26 Stonefield Close, which was noted at 28 metres to the side of the house. The Officer also advised that the Urban Design SPD distances between facing elevations apply to rear elevations and that an intervening road would be a different context to a rear-to-rear relationship, as there would already be a lower level of privacy due to existing public views of the side elevation of the neighbouring building.

The importance of affordable housing was discussed; Officers confirmed that Council policy requires affordable housing provision or a contribution to affordable housing in all residential dwellings where one or more unit is created.

Following discussion regarding the negotiation history between the applicant and the LPA, the Committee noted that the 40% requirement sought by policy H4 would not be viable, but Officers considered that the 10% threshold as set out in the NPPF should be provided as a minimum. The potential of the site to be developed was recognised if it was able to provide affordable housing.

Councillor Thomas moved that a recorded vote be taken on the recommendation, and in so doing the names of the Committee members voting for and against the recommendation (to refuse the application), along with any abstentions, were recorded as set out below:

For the recommendation to refuse: Councillors A Belben, Hart, Irvine, Jaggard, Malik, McAleney, Mwagale, Purdy, P C Smith, Thomas (10).
Against the recommendation to refuse: None.
Abstentions: None.

The proposal was moved by Councillor P C Smith and seconded by Councillor Thomas.

RESOLVED

Refuse subject to reasons set out in report [PES/326c](#).

6. Planning Application CR/2019/0403/FUL - Central Sussex College, College Road, Three Bridges, Crawley

The Committee considered report [PES/326d](#) of the Head of Economy and Planning which proposed as follows:

Erection of a three storey building to provide teaching facilities, classrooms and practical space for science technology engineering and maths (STEM) provision.

The Group Manager (Development Management) provided a verbal summation of the application and informed the Committee that further plans had been received which had led to the revision of several conditions in the original report, detailed as follows:

The committee was asked to note that the application site address would be changed from Central Sussex College to Crawley College.

The following revisions were made regarding the recommendation and conditions in the committee report:

Revised recommendation (deleting Travel Plan reference):

PERMIT subject to:

- The completion of a Section 106 obligation to secure the College's submission of and Local Planning Authority's approval of a masterplan document (including a phasing and delivery strategy for future development across the wider existing College campus) prior to the submission of further planning applications or any development on the wider College campus, and any future planning applications and development on the wider College campus shall be in compliance with the approved masterplan document; and
- Subject to the following conditions:

Additional condition:

21. Upon the first occupation of the development hereby approved, the applicant shall implement the measures incorporated within the approved Crawley College STEM Travel Plan (revised and submitted on 13 November 2019). The Applicant shall thereafter monitor, report and subsequently revise the Travel Plan as specified within the approved document unless otherwise agreed in writing by the Local Planning Authority.

Reason: To encourage and promote sustainable transport, reduce reliance on the private car and in accordance with policy IN3 of the Crawley Borough Local Plan 2015 - 2030.

Revised conditions:

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 Number	Revision	Drawing Title
18030-HNW-ZZ-00-DR-A-1100		Existing Site Location Plan
18030-HNW-ZZ-00-DR-A-1101	A	Existing Block Plan
18030-HNW-ZZ-00-DR-A-1200		Existing Ground Floor Plan
18030-HNW-ZZ-01-DR-A-1201		Existing First Floor Plan
18030-HNW-ZZ-02-DR-A-1202		Existing Second Floor Plan
18030-HNW-ZZ-03-DR-A-1203		Existing Third Floor Plan
18030-HNW-ZZ-ZZ-DR-A-1300		Existing Elevations
18030-HNW-ZZ-ZZ-DR-A-1301		Existing Sections
18030-HNW-ZZ-00-DR-A-2100		Proposed Site Location Plan
18030-HNW-ZZ-00-DR-A-2101	A	Proposed Block Plan
18030-HNW-ZZ-00-DR-A-2201		Proposed First Floor Plan
18030-HNW-ZZ-00-DR-A-2200		Proposed Ground Floor Plan
18030-HNW-ZZ-03-DR-A-2203		Proposed Roof Floor Plan
18030-HNW-ZZ-00-DR-A-2202		Proposed Second Floor Plan
18030-HNW-ZZ-ZZ-DR-A-2300	P2	Proposed Elevations
18030-HNW-ZZ-XX-DR-A-2301		Proposed Sections
L 8625/1	0	Crawley 1 - Existing Building Floor Plan (Sheet 1 of 6)
L 8625/2	0	Crawley 2 - Existing Building Floor Plan (Sheet 2 of 6)
L 8625/4	0	Crawley 4 - Existing Building Floor Plan (Sheet 4 of 6)
L 8625/3	0	Crawley 3 - Existing Building Floor Plan (Sheet 3 of 6)
L 8625/5	0	Crawley 5 - Existing Building Floor Plan (Sheet 5 of 6)
L 8625/6	0	Crawley 6 - Existing Building Floor Plan (Sheet 2 of 6)
L8558/1	0	Topographical Survey (Sheet 1 of 2)
L8558/2	0	Topographical Survey (Sheet 2 of 2)
AS/TCP/190219/1	1	Tree Constraints Plan
30473 EX 01	P1	Drainage In Summary 1
30473 EX 02	P2	Drainage In Summary 2

30473 GA1	A	Foundations with Ground Floor Structure Over
4037 ME002	12	Mechanical and Electrical Services
18030-HNW-ZZ-ZZ-DR-A-3105	C2	Proposed Site Plan
30473-EX01	A2	Drainage General Arrangement
30473-EX01	P1	Attenuation Tank Design M1 M30 and M100 plus 40 perc
XXXX-E-M2-RF-62-100	P1	Roof Small Power & PV Arrangement
30473-EX03	A1	Drainage Sections
18030-HNW-ZZ-XX-DR-A-3101		Temporary Cycle Parking Location
CH-M-M2-00-56-400	P2	Mechanical Services Plantroom Layout
18030-HNW-ZZ-ZZ-DR-A-3312	P1	West & East Elevation
18030-HNW-ZZ-ZZ-DR-3313	P2	North & South Elevations

REASON: For the avoidance of doubt and in the interests of proper planning.

3. All development works, including any works of demolition, shall take place in accordance with the revised Construction Management Plan (Rev O) dated July 2019 and received on 7 November 2019 unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the amenities of the area in accordance with policy CH3 of the Crawley Borough Local Plan 2015-2030.

4. No development, including site works of any description, shall take place on the site unless and until all the existing trees/bushes/hedges around the site have been protected by the site boundary timber/ply hoarding shown on the Site Layout Plan within the Construction Management Plan (Rev O) dated July 2019 and received on 7 November 2019. Within the areas outside the site hoarding, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant machinery or surplus soil shall be placed or stored thereon without the prior written approval of the Local Planning Authority. If any trenches for services are required in the fenced off areas they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

REASON: To ensure the retention and maintenance of trees and vegetation which is an important feature of the area in accordance with policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

Officers also requested that as the proposed building materials were being negotiated that Condition 9 be delegated to officers to agree the final wording based on the agreed material samples being provided by the College. The proposed wording would be drafted as set out below:

9. The materials, fixings and finishes to be used on the building hereby approved shall be:

- Equitone Natura PRO (pedestrian level only) and Equitone Natura fibre cement cladding materials. The Equitone colours shall be Ash Grey and Anthracite to be laid out as shown on the approved Elevational Study drawings. The Equitone cladding materials shall be attached using the Mechanic Secret Fixing method;
- Ibstock Staffordshire Slate Blue Smooth brick plinth

- Aluminium windows – colour?
- Aluminium soffit, fascia and underside to projecting canopy – colour?
- Columns to front of building – colour/material?

The development shall be implemented in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity by endeavouring to achieve a building of visual quality in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030 and the Urban Design Supplementary Planning Document.

The Committee were further informed that the Section 106 agreement due to be completed by the Local Planning Authority (LPA) and the College would alleviate the LPA concerns regarding the submission of any further planning applications within the College campus which might otherwise come forward ahead of an agreed masterplan being prepared.

Julie Kapsalis, speaking on behalf of the applicant, addressed the Committee in support of the application. The College's status as a local stakeholder was described, emphasising that investment in and development of a STEM building would contribute to aspirations for higher student numbers, better qualifications and grades, job creation, and social mobility in Crawley.

The Committee then considered the application. In response to a query regarding drainage concerns, Officers highlighted condition 14 of the report which detailed that the development would be implemented in line with the Sustainable Drainage Systems document. Generally, Committee members welcomed the opportunities that a STEM building would offer to the Crawley College campus and to local young people. The incorporation of solar panels to the building's design was also noted and praised.

RESOLVED

Permit subject to the completion of a Section 106 Agreement, together with the amended conditions as set out above, and in report [PES/326d](#).

7. Planning Application CR/2019/0456/FUL - Units XA1 & XA2, Sussex Manor Business Park, Gatwick Road, Northgate, Crawley

Erection of front and rear extensions to Units XA1/XA2 of Nyetimber Ltd Winery building.

The Principal Planning Officer (MR) provided a verbal summation of the application. The Committee was asked to note that the reference to drawing number 19030-CFN-00-01-DR-M-2111 RevS2-P1 should instead read 19030-CFN-00-01-DR-M-2111 RevS2-P2. The Committee heard that the proposed extensions were of the same design and style as the current building, and that there would be minimal impact on public views due to the building's location. Officers had raised concerns over the low number of car parking spaces available at the site but deemed this acceptable considering the few employees hired by Nyetimber and the way the business operates. Any future change of occupancy of the building remained a concern in regard to availability of parking. Officers welcomed the expansion of a local business. It was noted that a S106 Agreement was necessary to control the use of the site for this specific operator and to secure a Manor Royal Contribution

The Committee heard a revision be made to condition 12 to read:

‘Before the use of the extensions hereby permitted commences, measures to enable the development to be ‘network ready’ in the event that a District Energy Scheme is delivered in the vicinity shall be implemented in accordance with drawing no.19030-CFN-00-01-DR-M-2111 RevS2-P2 unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of environmental sustainability in accordance with Policy ENV7 of the Crawley Borough Local Plan 2015-2030’.

Antonia Catlow, on behalf of the agent, spoke in support of the application. The business’ success was described, as well as a desire to improve energy efficiency and maintain landscaping at the site. It was noted that a proportion of the existing parking spaces were currently fenced off and inaccessible – meaning the proposed development was anticipated to create two extra spaces rather than lose any. The business was willing to liaise with the LPA regarding any potential occupants of the building in the future.

The Committee then considered the application. The change to parking space availability was noted, as was the importance of an open dialogue with Nyetimber should the business relocate.

RESOLVED

Permit subject to the completion of a Section 106 Agreement, together with the conditions and informatives set out in report [PES/26e](#).

8. Planning Application CR/2019/0470/FUL - Units 1 and 2, Camino Park, James Watt Way, Northgate, Crawley

The Committee considered report [PES/326f](#) of the Head of Economy and Planning which proposed as follows:

Change of use from storage & distribution (Class B8) to a flexible use including general industrial (Class B2) and/or storage & distribution (Class B8) use and physical works to the car park

The Group Manager (Development Management) provided a verbal summation of the application. The Committee was informed that there was an intention to reconfigure the car park to accommodate parking and introduce a one-way system to the site. The proposed layout would provide a total of 177 car parking spaces, and it was necessary for the amount of B2-use floorspace to be limited as, if all the floorspace was changed to B2 use, there would be a requirement for 295 spaces (a shortfall of 118 parking spaces). A maximum of 4,776sq m of B2 floorspace was proposed to be permitted via condition; this would be a deficit of 10 parking spaces. However it was considered that this slight shortfall in parking spaces against the adopted standard was acceptable given the relatively sustainable location of Camino Park.

The Committee then considered the application. In response to a query raised, it was noted that the previous occupier was Evans Cycles and it was important to maintain and reinforce a business function within the main employment area.

RESOLVED

Permit subject to conditions set out in report [PES/326f](#).

9. Planning Application CR/2019/0550/FUL - 25 Bancroft Road, Maidenbower, Crawley

The Committee considered report [PES/326g](#) of the Head of Economy and Planning which proposed as follows:

Loft conversion incorporating a rear dormer and erection of first floor extension over existing garage, one roof light on rear roof slope and three roof lights on front roof slope (amended description & amended plans received)

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

The Principal Planning Officer (MR) provided a verbal summation of the application and updated the Committee that the application had been revised to exclude the rear dormer and consequently paragraphs 5.11 and 5.12 within the report were no longer relevant. The application description and recommendation had been amended as follows:

Amended Proposal:

Erection of first floor extension over existing garage, one roof light on rear roof slope and three roof lights on front roof slope (amended description & amended plans received)

Revised recommendation:

REFUSE - For the following reason(s):-

1. The proposed first floor side extension, by virtue of their design, scale/massing, bulk and prominence, would appear visually dominant and discordant, would fail to respect the scale, design and form of the original property, and would be harmful to the character and appearance of the existing dwelling and the visual amenities of the street scene. The proposal conflicts with the Policies CH2 and CH3 of the Crawley Borough Local Plan 2015-2030, the Urban Design Supplementary Planning Document (2016) and the relevant paragraphs of the National Planning Policy (2019).

In updating the Committee further, the Principal Planning Officer clarified the issues in regard to the design, scale and prominence of the proposed extension in relation to the existing design of the house and its context in a group of four similar houses. The Officer described harm to the visual amenity of the area and the street scene.

Paul Clarke (the agent) spoke in support of the planning application, whilst Councillor Millar-Smith (Ward member) also spoke on the application (both objecting to the recommendation for refusal).

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

- Confirmed the difference between the height of the proposed extension and that of the extension previously permitted.
- Responded to the two concerns with the side extension relating to its bulk and mass, together with the loss of the barn hip element of the roof and how the resultant building would appear incongruous with the alteration to the shape of the main roof and the addition of the barn hip extension roof to the main roof as altered. The extension would not have a meaningful setback and the proposed first floor side extension would result in the loss of the barn hip element of the main roof.

- Acknowledged that the previously permitted extension would result in the provision of less accommodation for the applicant than the new extension proposal.
- Identified that other examples of properties discussed were in different contexts, and were houses of different design.

The Committee expressed concern that a precedent could be set that could lead to similar constructions or amplify further applications. It was felt that whilst it was regrettable, there were some fundamental issues regarding the design and appearance of the proposal given its design, scale and prominence which would have a detrimental impact on the street scene and amenity.

RESOLVED

Refuse for the amended reason above and for those listed in report [PES/326g](#).

10. Planning Application CR/2019/0669/FUL - 3A & 4A Southgate Parade, Southgate, Crawley

The Committee considered report [PES/326h](#) of the Head of Economy and Planning which proposed as follows:

Proposed replacement of existing windows and doors.

Councillors Belben, Jaggard and Purdy declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application. The Committee was advised that a number of the flats within the neighbourhood centre had already undergone similar changes to the windows and doors and as a result it was not considered that the proposed change would significantly impact the visual amenity of the streetscene of Southgate Neighbourhood Centre Conservation Area.

The Committee then considered the application. In response to concerns and issues raised, it was acknowledged that uPVC windows and doors were not the most environmentally friendly material as the substance itself was not easily recyclable. However the proposal was beneficial for the occupants as it improved insulation, reduced draughts and energy consumption in comparison to metal windows. It was considered to accord with relevant Local Plan policies, the Urban Design SPD and the NPPF.

RESOLVED

Permit subject to conditions set out in report [PES/326h](#).

11. Appeal against Non-Determination of Planning Application CR/2018/0894/OUT - Steers Lane, Forge Wood, Pound Hill, Crawley

The Committee considered report [PES/342](#) of the Head of Economy and Planning which explained the circumstances in relation to planning application CR/2018/0894/OUT for which an appeal was underway. The appeal had been lodged on the grounds that the Local Planning Authority had failed to determine the application within the statutory time frame. Although the Planning Committee was no longer in a position to formally determine the planning application, the report set out the officers' concerns with the application and the grounds on which they considered the planning appeal should be defended.

The report provided an opportunity to update and inform the Committee of the current situation in regard to the application and appeal.

The Principal Planning Officer (VC) provided a verbal summation of the application and updated the Committee that the Local Plan was up to date, containing relevant policies to the appeal development and that a 5 year supply of deliverable housing sites was demonstrated. The current proposal for 185 units was significantly over the Local Plan figure of 75 units. There were significant concerns raised over the disproportionate split of affordable units and private units, particularly given the over-concentration of units and the location of the affordable housing on the noisier parts of the site. The Committee heard that space standards and private amenity space standards had not been met and whilst there was reference to communal gardens for the flats, no numerical figure was provided. In regard to parking, whilst the actual numbers to be provided would meet the numerical requirement, their layout, arrangement and apportionment was not satisfactory. In addition it was considered that the submitted scheme failed to respect the natural and built elements present within the locality and on the site. In regard to open space and recreation provision it was not considered that the illustrative details demonstrated that the facilities would accord with policy requirements. Furthermore, the noise environment, the layout and design of the development as submitted had not demonstrated that the scheme would provide a layout which would deliver a high standard of environment and quality of life for residents.

The Committee also heard that no S106 legal agreement had been completed to secure the affordable housing and on and off site infrastructure. However, should an S106 Agreement be completed prior to the public inquiry, the reason for refusal regarding this (number 2) would be overcome.

James Greengrass addressed the Committee in objection to the application and highlighted issues relating to the impact on the environment, wildlife, traffic implications, lack of infrastructure and impact on the streetscene and outlook.

The Committee then considered whether it would have approved the application, had it been brought before the Committee for determination. The Committee was of the opinion that the development before them was inappropriate to the surrounding area given the scale of the development and the information in relation to space standards, garden sizes, parking, housing mix requirements, affordable housing provision, open space and the noise environment. Committee Members particularly highlighted the overall scale of the development together with the siting of the affordable units. The Committee agreed that it would have been mindful to refuse the application for the reasons set out in report [PES/342](#).

RESOLVED

1. That the report [PES/342](#) be noted.
2. Agreed that, if the application had been determined by the Planning Committee, it would have been minded to refuse it for the 2 reasons as set out in section 5.1 of report [PES/342](#).

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 10.15 pm

S Malik (Chair)