

# Crawley Borough Council

## Minutes of Planning Committee

Tuesday, 7 November 2017 at 7.30 pm

### Councillors Present:

I T Irvine (Chair)

C Portal Castro (Vice-Chair)

N J Boxall, B J Burgess, D Crow, R S Fiveash, F Guidera, K L Jaggard, S J Joyce, T Rana, A C Skudder, P C Smith, M A Stone, J Tarrant and G Thomas

### Officers Present:

Roger Brownings	Democratic Services Officer
Kevin Carr	Legal Services Manager
Jean McPherson	Group Manager (Development Management)
Daniel Power	Planning Officer

## 1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Boxall	CR/2017/0483/FUL - Land Adjacent to Dobbins Place, Ifield, Crawley (Minute 5)	Personal and Prejudicial Interest – a close relative owned a nearby property in Poynings Road. Councillor Boxall left the meeting before consideration of this application and took no part in the discussion or voting on the item.
Councillor B J Burgess	CR/2016/0955/FUL 27 Forge Road, Three Bridges, Crawley (Minute 4)	Councillor Burgess with the permission of the Chair addressed the Committee as a Ward Member and then to avoid any perception of bias or predetermination left the meeting before consideration of this application and took no part in the discussion or voting on the item.

Councillor P C Smith	CR//2017/0589/FUL 2-14 Crompton Way, Northgate, Crawley (Minute 7)	Personal Interest – a Local Authority Director of the Manor Royal Business Improvement District
Councillor Stone	CR/2017/0483/FUL - Land Adjacent to Dobbins Place, Ifield, Crawley (Minute 5)	Councillor Stone with the permission of the Chair addressed the Committee as a Ward Member and then to avoid any perception of bias or predetermination left the meeting before consideration of this application and took no part in the discussion or voting on the item.

## 2. Lobbying Declarations

The following lobbying declarations were made by Members:-

Councillors Boxall, Irvine, Joyce, Skudder, P C Smith and Thomas had been lobbied regarding application CR/2016/0955/FUL.

Councillors Guidera, P C Smith, Stone, Tarrant and Thomas had been lobbied regarding application CR/2017/0483/FUL.

## 3. Minutes

The minutes of the meeting of the Committee held on 9 October 2017 were approved as a correct record and signed by the Chair.

## 4. Planning Application CR/2016/0955/FUL - 27 Forge Road, Three Bridges, Crawley

The Committee considered report PES/241 (a) of the Head of Economic and Environmental Services which proposed as follows:

Change of use of amenity land to private garden and the erection of single storey side and rear extensions. (Amended description).

Councillors B J Burgess, Jaggard, P C Smith, Stone, Tarrant and Thomas declared they had visited the site.

The Planning Officer provided a verbal summation of the application and provided the following update:-

- Additional representations had been received from the Applicant, objecting to the suggested conditions. In addition an objection had been received relating to the potential impact the development could have on the nearby trees. To this end, to ensure the protection of the roots of those trees Condition 6 had been updated, as set below:

6. *Within 3 months of the date of this permission and prior to works to implement the hardstanding, the area of land immediately to the east of the extension in the ownership of the applicant, shall have all loose rubble removed from the excavated area and this shall be replaced with topsoil. Prior to re-filling the excavated area with topsoil the applicant shall have contacted the Local Planning Authority and shall have arranged for an officer to attend the site to confirm the works are acceptable and all rubble has been adequately removed.*  
*REASON: To ensure the works are undertaken to an acceptable standard to protect the roots of the adjacent trees in accordance with policy CH3 of the Crawley Borough Local Plan.*

Mr John Cooban, on behalf of the Three Bridges Forum, and Councillor B J Burgess, who spoke from the public gallery as Ward Member, addressed the Committee in objection to the application, whilst Mr Mohamid Amir, the brother of the Applicant, spoke in support. Many of the concerns raised reflected those detailed in the report, including, in particular those on the grounds referred to earlier: that the development would have a harmful impact on the nearby trees. Concerns had also been raised relating to the strip of land which had been bought by the Applicant and which formed part of this application for its change of use.

The Committee then considered the application. The Committee discussed the issues arising, including the comments made by the speakers and the concerns raised by objectors.

In response to issues and concerns raised, the Planning Officer:

- Confirmed that the conditions imposed on the previous change of use (as part of CR/2016/0225/FUL) were not complied with prior to the commencement of development and that therefore the application now before the Committee was in part retrospective and sought to regularise the existing works whilst proposing amendments to the existing approval.
- Emphasised that whilst comments had been received objecting to the sale of the Council land to the Applicant, this was not a material planning consideration and did not form part of the consideration of this application.
- Explained that the tiles on the main roof of the dwelling had recently been cleaned and were therefore different to tiles on the as built extension but extensions are normally required to have matching materials.
- Confirmed that the application does not propose any boundary fence as it is understood this is to be agreed with the applicant and the Council as adjoining land owner.
- Explained that Condition 6, as amended, was intended to ensure that any loose rubble was to be removed from the excavated area adjacent to the side extension and that this was to be replaced with topsoil (as this area is within the tree root protection area) and block paving to the remainder of the area.
- Confirmed that the current application was proposing to surface the hardstanding parking area with permeable paving which would allow the tree roots to recover.
- Indicated that the Council's Tree Officer considered that given the materials proposed and the size of the area, the proposal would not have a harmful impact upon the trees on the adjoining land.

- Advised that having regard to the works already carried out in breach of a previous planning condition, it was considered reasonable to impose a condition for an officer to attend the site to confirm the works had been carried out in accordance with the condition.

Whilst being assured that the proposals would not have a harmful impact upon the nearby trees, Members generally felt that the proposed change of use would not result in an unacceptable loss of visual public amenity and would not be detrimental to the character of the area.

## **RESOLVED**

**Permit**, subject to the conditions set out in report PES/241 (a) and the updated Condition 6 above.

### **5. Planning Application CR/2017/0483/FUL - Land Adjacent to Dobbins Place, Ifield, Crawley**

The Committee considered report PES/ 241 (b) of the Head of Economic and Environmental Services which proposed as follows:

Erection of 4 two bedroom houses and 2 two bedroom flats (amended plans received).

Councillors Boxall, B J Burgess, Guidera, Jaggard, Portal Castro, Skudder, Stone, Tarrant and Thomas declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and the following updates:-

#### Condition 4 – Correction / clarification

- north east should read 'north west'.
- word 'building' should read 'flats'.

Delete Conditions 5 and 7 as set out in the report and replace as below:

#### Condition 5

The development hereby permitted shall be set out and implemented strictly in accordance with the finished floor levels shown on drawing 4982 DE 02 Rev F – Site plan and drawing 4982 DE 17 Rev B – Site Section A-A and the surrounding land levels for the gardens and hard surfaces shall remain as specified on the drawings.  
REASON: as per original condition.

#### Condition 7

The development hereby permitted shall be constructed and managed in accordance with the Construction Environment Management Plan (CEMP) reference 2946 Revision 1, dated August 2017 unless otherwise agreed in writing by the Local Planning Authority.  
REASON – as per original condition.

Condition 11 - Amendment

At the end of the first sentence, insert words to read 'hard and soft' landscaping scheme.

Councillor Stone, who spoke from the public gallery as Ward Member, addressed the Committee objecting to the application, whilst Ms Katie Lamb, Planning Consultant, addressed the Committee in support. Many of the concerns raised by Councillor Stone reflected those detailed in the report, including in particular, those made on the grounds that the development was out of character with the surrounding area, would have a harmful impact on the local highway, and noise emanating from traffic.

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

- Explained that in terms of the proposed dark grey colour of materials used for some of the development's external walls, there was still scope within the conditions to consider the use of lighter materials and finishes, which Officers will note and do.
- Explained that whilst the development was within an area of Structural Landscaping, the visual contribution of this site to the wider area was considered limited due to it previously being developed. The loss of this area was not considered to harm the remaining structural landscaping area, and that the development in terms of its layout would protect and enhance the remaining area of structural landscaping.
- Explained that in terms of concerns raised on impacts on the proposed dwellings from the nearby Tesco Express Store, the Council's Environmental Health department were consulted on the application and had no objections. It was not considered that the activity of the store would have an unacceptable impact on the amenity of future occupiers, and no complaints had been received from the occupiers of the two existing residential flats above the store or other nearby properties.
- Indicated that the distance from the Tesco Store to Poynings Road dwellings was approximately the same as to the proposed new properties.
- Referred to the fact that rivers and water features were common place within the Crawley area. There were no reasons to secure additional measures via planning condition given the proximity of the nearby pond, as with all such water features children would need to be supervised.
- Confirmed that no issues had been raised by the Council's Environmental Health Department with regard to air pollution.
- Indicated that the application had been submitted with a Transport Statement and a Road Safety Audit. WSCC as the Highways Authority had commented that the existing access arrangements to the site would accommodate the anticipated level of vehicular activity. They had no objections to the proposed development, subject to conditions.
- Confirmed that the development complied with parking standards, and there were not considered to be any detrimental highway impacts.
- Explained that given the distance and orientation of the proposed dwellings, the scale and design of the proposal, and proposed window positions, it was not considered that the proposal on balance, would have an overbearing impact or harm amenities to the occupiers in Poynings Road.

- Confirmed that all the proposed units would be affordable housing.

## **RESOLVED**

**Permit**, subject to:

- (i) The conclusion of a S106 Agreement to secure affordable housing and the tree mitigation contribution, as outlined in paragraphs 5.23 to 5.25 of report PES/ 241 (b).
- (ii) The conditions set out in report PES/ 241 (b), and the updated conditions above.

At this point Councillor Rana left the meeting and did not return.

### **6. Planning Application CR/2017/0543/FUL - 1 Woodlands, Pound Hill, Crawley**

The Committee considered report PES/241 (c) of the Head of Economic and Environmental Services which proposed as follows:

Erection of a part single part 2 storey rear extension, erection of a pitch roof on garage and conversion to habitable accommodation and changes to external materials on front facade and roofing (amended description and plans received).

Councillors B J Burgess, Jaggard, Portal Castro, P C Smith and Tarrant declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application and the following update:-

An amended plan had been received which removed reference to the proposed slate tiled roof and stated that the roof would now be a pantile. This would then match the colour and texture of the existing roof tiles and be more appropriate to the surrounding area.

Mr Michael Smith addressed the Committee in objection to the application. A number of the concerns raised were on the grounds of those detailed in the report, including, in particular, the inconsistency of external materials and finishes with the character of the surrounding area, loss of privacy and parking.

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

- Confirmed the report's conclusion that the external materials comprising facing brick to match the existing, timber cladding, a matching roof tile and dark grey aluminium window frames, would have an acceptable visual impact on the street-scene.
- Explained that there was construction activity currently taking place on the site to convert the garage to habitable accommodation under the provisions of the Town and Country Planning General Permitted Development Order (England)

2015, although the proposed plans indicated that this was a part of this planning application.

- Confirmed that the site also had an attached side garage built along the southern side boundary of the site.

## **RESOLVED**

**Permit**, subject to the conditions set out in report PES/241 (c).

### **7. Planning Application CR/2017/0589/FUL - 2 - 14 Crompton Way, Northgate, Crawley**

The Committee considered report PES/241 (d) of the Head of Economic and Environmental Services which proposed as follows:

Erection of a building comprising two units for B8 (storage or distribution) and ancillary office floorspace, with associated car parking, landscaping, servicing and access arrangements (amended description).

Councillor Boxall declared he had visited the site.

The Planning Officer provided a verbal summation of the application and the following update:-

Comments had been received from the Ecology Officer to advise that he had no objections to the application, and requested no further conditions.

The Committee then considered the application. In response to an issue raised, the Planning Officer confirmed that the roof of the proposed premises would be fitted with PV Panels, as shown on the Proposed Roof Plan.

## **RESOLVED**

**Permit**, subject to:

- (i) A S106 Agreement to secure a Manor Royal contribution.
- (ii) The conditions set out in report PES/241 (d)

### **8. Supplemental Agenda**

At the Chair's request, an Information item on the Consultation with Surrounding Local Authorities as part of the planning process was to be considered as a supplemental agenda item, as the matter had arisen subsequent to the agenda being published.

## **9. Consultation with Surrounding Local Authorities (Information Item)**

The Committee considered report PES/241 (z) which was introduced by the Chair of the Committee.

The Chair advised that following recent Member enquiries, he felt it would be useful for this information item to be brought to the Committee to further highlight how the process of consultation with surrounding local authorities as part of the planning process occurred.

The Committee discussed matters arising from the report, and in response to issues raised, the Group Manager (Development Management):

- Emphasised that some specific arrangements had been established to assist neighbouring authorities who wished to speak or be consulted on an application arising from this Authority for example on Gatwick. Those arrangements, as previously published, were included in the report.
- Explained that the matters of deciding which authorities should be consulted and how authorities should consult with each other, were set out in a nationally prescribed document (The Town and Country Planning (Development Management Procedure) (England) Order 2015).

Members continued to discuss the information provided, whilst indicating that the information had been very useful, and the Group Manager confirmed that she would be happy to answer any further questions which may arise following this meeting.

### **RESOLVED**

That the report be noted.

### **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 9.13 pm

**I T IRVINE**  
**Chair**