

Crawley Borough Council

Minutes of Planning Committee

Tuesday, 29 June 2021 at 7.00 pm

Councillors Present:

R D Burrett (Chair)

Z Ali, A Belben, I T Irvine, K L Jaggard, S Malik, M Mwagale, S Raja and P C Smith

Officers Present:

Dimitra Angelopoulou	Senior Planning Officer
Siraj Choudhury	Head of Legal, Governance and HR
Jean McPherson	Group Manager (Development Management)
Clem Smith	Head of Economy and Planning
Jess Tamplin	Democratic Services Support Officer

Apologies for Absence:

Councillor S Buck

1. Disclosures of Interest

The following disclosures of interests were made:

Councillor	Item and Minute	Type and Nature of Disclosure
Councillor Irvine	Planning application CR/2021/0248/FUL – The Base, Fleming Way, Northgate (Minute 4)	Personal Interest – a member of Crawley Walking and Cycle Forum (a consultee on the application).
Councillor P Smith	Planning application CR/2021/0248/FUL – The Base, Fleming Way, Northgate (Minute 4)	Personal Interest – a member of Crawley Walking and Cycle Forum (a consultee on the application).
Councillor P Smith	Planning application CR/2021/0248/FUL – The Base, Fleming Way, Northgate (Minute 4)	Personal Interest – Local Authority Director of the Manor Royal Business Improvement District and Chair of the Micropark Committee.
Councillor P Smith	Planning application CR/2021/0287/FUL – Car Park Adjacent to Co-Op, 6 Maidenbower Square, Maidenbower (Minute 5)	Personal Interest – Member of and councillor for the Labour and Co-operative Party (of which the Co-op supermarket is a supporter).

2. Lobbying Declarations

No lobbying declarations were made.

3. Minutes

The minutes of the meeting of the Planning Committee held on 26 April 2021 were approved as a correct record and signed by the Chair.

4. Planning Application CR/2021/0248/FUL - The Base, Fleming Way, Northgate, Crawley

The Committee considered report [PES/372a](#) of the Head of Economy and Planning which proposed as follows:

Demolition of the existing buildings and redevelopment of the site to provide two buildings (use class B8 - storage or distribution) with ancillary offices, parking and service yards, new site access, landscaping, boundary treatments and associated works.

Councillors A Belben, Burrett, Jaggard, and P Smith declared they had visited the site.

The Senior Planning Officer provided a verbal summation of the application, which proposed commercial development at a site within the Manor Royal Business Improvement District (BID). The Committee heard that, since the publication of the report, further discussions had taken place with the applicant leading to amendments to the wording of conditions 6 and 25, the removal of condition 16, and the addition of a new condition 26. Delegated authority to officers was also sought regarding amendments to the Environment Agency (contamination) and ecology conditions due to ongoing discussions with the relevant consultees.

Matthew Mainwaring, the agent on behalf of the applicant, spoke in support of the application. Matters raised included:

- The application's compliance with Local Planning Authority policies, including those related to car and cycle parking.
- The environmental sustainability of the proposal which had received a BREEAM 'excellent' rating and would result in a biodiversity net gain at the site, with ecological enhancements connected to existing local green infrastructure.
- The discussions between the applicant, Local Planning Authority, and Manor Royal BID Board which had resulted in positive outcomes (including the addition of the micropark proposal).

The Committee then considered the application. The provision of solar panels and the micropark were considered positive aspects of the application, as was the proposal to retain the large protected oak tree at the front of the site. Concerns were raised regarding the loss of six protected (and four unprotected) trees, however the Committee acknowledged the net gain in biodiversity that would result from the proposed redevelopment of the site. Furthermore, the Section 106 agreement was to secure a contribution of £14,700 in lieu of the required 21 replacement trees.

Assurance was sought from the Committee that remaining trees were to be safeguarded during construction.

It was clarified that a further contribution of £784 - £2 per additional square metre of new floorspace proposed (above the existing floorspace currently on site) was to be secured toward enhancements to the public realm.

Clarification was sought regarding the parking provision. Of the two proposed parking areas, one offered a shortfall of parking spaces while the other offered a surplus. The access to the two parking areas was shared, so the combined overall provision of spaces was deemed acceptable.

It was recognised that the buildings proposed were for storage use, which provided fewer employment opportunities than those allocated for office use, however Local Plan policy E3 allowed for 'B' use classes so the application was policy compliant in this regard. The proposal was deemed to be potentially beneficial to the local economy given the Covid-19 pandemic and the resulting lack of demand for office space.

RESOLVED

Permit subject to the conclusion of a Section 106 legal agreement, the conditions and informatives set out in report PES/372a (excluding condition 16), the amended and new conditions set out below, and the provision of delegated authority to officers for amendments to the Environment Agency (contamination) and ecology conditions.

6. Before any work for the implementation of this permission commences (excluding demolition), detailed plans and particulars of the land levels and the finished floor levels of the buildings shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be constructed in accordance with the approved levels.

REASON: To enable the Local Planning Authority to control the development in detail in the interests of amenity in accordance with Policy CH3 of the Crawley Borough Local Plan 2015-2030.

Reason for pre-commencement: This condition is required pre-commencement as it relates to how the site layout and building will be constructed.

25. Prior to occupation of Unit 1 or Unit 2, full details of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. These details shall also include:

- Grassed areas

- The species, number and spacing of trees and shrubs

The approved details of the landscaping shall be carried out in the first planting and seeding season, following the first occupation of either building, and any trees or plants which, within a period of five years from the completion of development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation. No subsequent alterations to the approved landscaping scheme are to take place unless submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved.

***REASON:** To avoid endangering the safe movement of aircraft and the operation of Gatwick Airport through the attraction of birds and an increase in the bird hazard risk of the application site in accordance with Policy IN1 of the Crawley Borough Local Plan 2015-2030, and in the interests of the amenity and of the environment of the*

development in accordance with Policy CH3 of the Crawley Borough Local Plan 2015 - 2030.

26. Prior to the first occupation of Unit 1 or 2, the package of mitigation measures, as referenced in the Air Quality Mitigation email dated 24 June 2021, shall be implemented in full, unless otherwise approved in writing by the Local Planning Authority.

REASON: To ensure that the development does not have a negative impact on air quality in accordance with Policy ENV12 of the Crawley Borough Local Plan 2015 – 2030 and to accord with the air quality mitigation contained within the submitted Air Quality Assessment provided by Air Quality Consultants Ltd and dated March 2021.

5. Planning Application CR/2021/0287/FUL - Car Park Adjacent to Co-op, 6 Maidenbower Square, Maidenbower, Crawley

The Committee considered report [PES/372b](#) of the Head of Economy and Planning which proposed as follows:

Temporary pop-up convenience shop in car park for approximately 8-week period and temporary plant enclosure for approximately 20-week period up to April 2022.

Councillors A Belben, Burrett, Jaggard, Mwangale, and P Smith declared they had visited the site.

The Group Manager (Development Management) provided a verbal summation of the application, which proposed two temporary structures occupying a total of eight parking spaces within the Maidenbower Square car park.

The Committee then considered the application. The structures' impact on parking provision was discussed – it was noted that West Sussex County Council's Highways Department had no objection to the proposals as it was assumed that there would be less footfall in the area due to the closure of the Co-Op store for its refurbishment. It was also recognised that the location of the pop-up shop and plant enclosure were based, in part, on the need to locate generators nearby to power the temporary shop (and the existing store when the plant within it was being replaced).

The suitability of the access to the pop-up shop and width of the footpath was queried in regard to pedestrians and those with disabilities. The Officer suggested that the applicant needed to keep a clear passageway in front of the site to allow access around this section of the shopping parade.

The Committee noted that the temporary shop would provide necessary services to residents for the duration of the closure of the Co-Op. It was clarified that the application sought permission until April 2022, but the applicants envisaged that the works were likely to be completed sooner than this.

RESOLVED

Permit subject to the conditions and informatives set out in report PES/372b.

6. Amendment to the General Committee Procedure Rules

The Head of Legal, Governance and HR addressed the Committee in relation to a procedural matter regarding future Planning Committee meetings. It was noted that

the General Committee Procedure Rules had recently been amended to reflect the Council's use of external venues for its formal meetings, including the protocol regarding meeting duration.

Due to the nature of decisions taken by the Planning Committee it was deemed that specific guillotine rules were necessary for meetings of the Planning Committee to ensure that all planning matters were given the level of consideration expected.

It was recommended that the Planning Committee agree to conclude its formal meetings by 11:00pm, with any outstanding business to be deferred to the next scheduled meeting of the Committee. The exception to this would be any matters statutorily required to be decided before the date of the next meeting – in which case a new meeting date would be arranged as soon as practicably possible.

Committee members discussed the proposal. It was noted that any item already undergoing debate at 11:00pm was to be concluded and voted upon rather than being deferred. The Committee also discussed the possibility of rescheduling the start time of future meetings, where necessary, to 6:30pm.

It was therefore

RESOLVED

That the Head of Legal, Governance and HR make a minor amendment to the Constitution to introduce a guillotine provision to allow the Planning Committee to conclude its formal meetings by 11:00pm, with any outstanding business to be deferred to a future meeting of the Committee.

Closure of Meeting

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.21 pm.

R D Burrett (Chair)