

## Crawley Borough Council

### Minutes of Planning Committee

Tuesday, 12 July 2022 at 7.00 pm

#### Councillors Present:

R D Burrett (Chair)

Y Khan (Vice-Chair)

Z Ali, A Belben, K L Jaggard, S Mullins, M Mwagale, S Pritchard, S Raja and S Sivarajah

#### Officers Present:

Siraj Choudhury                      Head of Governance, People & Performance

Jean McPherson                      Group Manager (Development Management)

Marc Robinson                      Principal Planning Officer

Clem Smith                          Head of Economy and Planning

Jess Tamplin                          Democratic Services Officer

#### Apologies for Absence:

Councillor S Malik

#### 1. Disclosures of Interest

No disclosures of interests were made.

Councillor A Belben highlighted that he had declared an interest at the previous Planning Committee meeting at which planning application CR/2021/0844/FUL was considered (*a neighbour of the site, who had raised an objection to the application, was known to him*). It was clarified that this person was no longer a neighbour of the site in question so the interest was not relevant on this occasion.

#### 2. Lobbying Declarations

Councillor Pritchard had been lobbied regarding agenda item 5 (minute 4), Planning Application CR/2021/0844/FUL – 9 Mill Road, Three Bridges, but had not expressed views on the application in advance of the meeting.

#### 3. Minutes

The minutes of the meeting of the Planning Committee held on 6 June 2022 were approved as a correct record and signed by the Chair subject to the following amendments:

- That Councillor S Sivarajah be marked as present at the meeting.
- That minute 5 (CR/2022/0034/TPO – 8 Haversham Close) be amended to show that Councillor S Pritchard had not visited the application site.

#### 4. **Planning Application CR/2021/0844/FUL - 9 Mill Road, Three Bridges, Crawley**

The Committee considered report [PES/404a](#) of the Head of Economy and Planning which proposed as follows:

Erection of 1 x attached three bed dwelling in the side garden space, and erection of single storey side and rear extension and internal alterations to existing dwelling.

Councillors Ali, A Belben, Burrett, Jaggard, S Mullins, Mwagale, Pritchard, Raja, and Sivarajah declared they had visited the site.

The Principal Planning Officer provided a verbal summation of the application, which sought planning permission for an extension to 9 Mill Road in Three Bridges and a separate three bedroom house to the side of the existing property. The application was originally considered by the Committee at its meeting on [6 June 2022](#) but was deferred to the 12 July meeting to allow officers to obtain clarification of the flood risk zone at the application site, seek further information regarding parking and access matters, and request that West Sussex County Council (WSSCC) as the Highways Authority visits the site. The Officer updated the Committee that, since the publication of the agenda, the following amendments to the report were required:

- Part of paragraph 5.13 was now to read, 'The neighbouring house has a garden that is approximately 31m in length and the proposals themselves would be located *14 metres at ground floor level and 16 metres at first floor level* from the boundary with this garden. It is therefore considered that as there would be approximately *30m* between facing windows...'
- Part of paragraph 5.34 was now to read, 'The internal floorspace of this dwelling would be *111sqm* which meets the standard.'

The Officer also updated the Committee that a further representation in objection to the application had been received since the publication of the report. The representation consisted of a letter and petition signed by 13 residents (11 of whom resided on Mill Road or the adjacent Hazelwick Road), and this was read to the Committee in full.

The Officer provided updates on the three matters relating to the deferral of the application.

- **Flood risk:**  
The Committee had previously identified two different flood maps which gave conflicting information about the flood risk zone at the site. The Environment Agency (EA) had since confirmed that the map to be used for planning application purposes showed the majority of the site as being in flood zone 1 (with a small portion in zone 2). This map was a re-modelled, more precise, and more up-to-date version that replaced the map that had previously shown the site as in flood zone 3. The flood risk level was therefore reduced and this was a significant material change from earlier applications at the site.
- **Parking:**  
The Committee had previously requested that WSSCC be asked to undertake a site visit to further assess the impact of the development on parking capacity in the area. WSSCC stated that there was no justification for doing so and

emphasised its position that it had no objection to the application, and therefore declined to visit the site. Crawley Borough Council officers had since undertaken a number of site visits at different times, including weekends and evenings, to assess the local parking situation. A number of on-street parking spaces were available nearby at every site visit. The proposal was likely to result in only a small increase in demand for parking in the area.

- Construction vehicle access/storage of materials:  
It was confirmed that the recommendation did not include a condition requiring a construction management plan – due to the small size of the site the storage location of construction materials/vehicles could not be pre-arranged on site. If the applicant sought to store building materials on the highway, a separate application would need to be made by the applicant to WSCC, which would consider the request. Vehicles delivering materials may impede the operation of the highway on a temporary basis but no more significantly than on other roads or for other deliveries.

The Committee then considered the application.

Following a query from a Committee member regarding the estimated water usage at the proposed development, the Planning Officer outlined the water neutrality consultation process. It was confirmed that the Council's consultants had independently assessed the evidence relating to the application and based on the evidence supplied and the measures being proposed, the development was considered to be water neutral. In order for the application to be granted planning permission, approval by Natural England (NE) was required and therefore the recommendation in the report was for the Committee to delegate the decision to permit the application to the Head of Economy and Planning, subject to the conclusion of consultation with NE. A response had been expected by 10 July, but this had not yet been provided due to staff sickness at NE. If NE had any objection on water usage grounds the application would not be permitted and would return to the Committee for further consideration.

Concerns were raised that Mill Road may be temporarily blocked while deliveries of building materials were being made to the site or when accessed by construction vehicles. It was suggested that this may cause traffic problems, or access issues for emergency vehicles, especially due to the narrow one-way nature of the road. The Committee noted that other large vehicles, e.g. those making parcel deliveries, were already likely to stop to load and unload along Mill Road however the unloading of construction materials was thought to cause road blockages for longer time periods. The Committee was notified that WSCC had no objection to the application on these grounds, and that it accounts for emergency vehicle access as part of its assessment of an application's impact on the highway.

Many Committee members expressed discontent regarding WSCC's refusal to undertake a site visit to assess the impact of the development on the highway. The Planning Officer advised that WSCC uses its own assessment tools when considering highways matters (e.g. road traffic accident data) and there was reasoning behind the lack of a site visit and the lack of objection to the application. However the Committee highlighted that the area was different in character to much of Crawley, as a one-way road with no pavements, and a site visit was considered important to understanding the traffic flow and parking in the area. The Committee discussed the findings of the site visits undertaken by Crawley Borough Council officers and in turn heard that a Committee member had found similar capacity while undertaking personal site visits, however had observed two cars as being parked unsafely (one double parked at a junction and one parked on double yellow lines) which suggested that all safe parking spaces had been in use when the cars had arrived, pointing to a lack of capacity on

Mill Road. Committee members raised concerns about Mill Road residents having to walk to the far end of Hazelwick Road to park a vehicle. The Committee also discussed the controlled parking zone (CPZ).

Committee members agreed that they were aware of existing parking issues in Three Bridges and raised concerns that the addition of another dwelling and the loss of two off-street driveway parking spaces could amount to four extra cars on the road than presently, which had the potential to significantly diminish parking capacity in the area. This was considered to impact the operation and safety of the highway for car users and pedestrians, and also impede residents' ability to park their cars. It was also recognised that the Council's Parking Services Department had commented that CPZ permits remained available for the area, yet had still objected to the application on the grounds of a lack of parking provision.

Other matters were raised as part of the discussion:

- Confirmation was given that planning permission had been granted in the past (and remained valid) for an extension to the existing dwelling.
- The flood risk zone map was noted but concerns remained about the potential for flooding at the site. It was clarified that flood resilient materials were proposed to be used as part of the mitigation measures, and that condition 6 set out that ground floor rooms in both the extension and the separate dwelling should not be used as primary sleeping accommodation. A concern was raised about how this would be monitored.
- Affordable housing contributions were usually made after the granting of planning permission and prior to the commencement of construction or occupation.
- Policy CH6 of the Local Plan required a tree to be planted as part of the application, and it was confirmed that this would be planted on site in the rear garden.
- It was highlighted that the Section 106 agreement was not yet completed.

The Committee then voted on the recommendation to delegate the decision to permit to the Head of Economy and Planning, as set out in the report. The recommendation was overturned unanimously.

The Head of Governance, People & Performance advised on Committee procedure following the overturn of an officer's recommendation. The Committee discussed alternative proposals at length and revisited key points from its discussion on the application. Concerns were raised regarding the lack of parking provision for the new house and the loss of parking from the existing property (particularly considering the unusual characteristics of the narrow one-way street) which was contrary to the Council's parking standards. It was agreed that this was a key reason for the Committee's vote against permission. The non-completion of the Section 106 agreement was recommended as a further refusal reason by the Planning Officer.

It was moved and seconded that the application be refused. The Committee voted on the proposal to refuse the application, which was agreed unanimously.

## **RESOLVED**

Refuse for the following reasons:

The development by reason of its lack of parking would not meet the operational needs of the proposed house and existing house and would result in an adverse impact on the on-street parking in the area, increasing the hazards to users of the

highway contrary to policies CH3 and IN4 of the Crawley Borough Local Plan 2015-30 and the guidance in the adopted Urban Design Supplementary Planning Document.

A legal agreement is not in place to secure the appropriate affordable housing contribution and water neutrality measures required to meet the development's off-site infrastructure requirements and secure the measures required to achieve water neutrality. The proposal is contrary to policies IN1, ENV2 and H4 of the Crawley Borough Local Plan 2015-2030, and fails to address the Natural England Position Statement on water neutrality received on 14 September 2021 that requires a development does not cause an adverse impact upon protected habitats in the Arun Valley, including the Amberley Wild Brooks Site of Special Scientific Interest (SSSI), the Pulborough Brooks SSSI and the Arun Valley Special Protection Area/Special Area of Conservation and Ramsar sites, in breach of the Conservation of Species and Habitats Regulations 2017.

### **Closure of Meeting**

With the business of the Planning Committee concluded, the Chair declared the meeting closed at 8.55 pm

**R D Burrett (Chair)**